

Nicole Harris v. City of Chicago, et al.
Deposition of Diane Dancy - Taken 1/18/2016

IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION NICOLE HARRIS,) Plaintiff,) vs.) No. 1:14 CV 04391) CITY OF CHICAGO, Chicago Police) Officers ROBERT BARTIK, #3078;) DEMOSTHENES BALODIMAS, #21204;) ROBERT CORDARO, #20680; JOHN J.) DAY, #20926; JAMES M. KELLY,) #21121; MICHAEL LANDANO, #20417;) ANTHONY NORADIN, #21252; and) RANDAL WO, #20232; Assistant) Cook County State's Attorneys) ANDREA GROGAN and LAWRENCE) O'REILLY; and the COUNTY OF COOK,)) Defendants,) The videotaped deposition of DIANTE DANCY, called by the Defendants for examination, pursuant to notice and pursuant to the Federal Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken before Suzan A. Gualano, Certified Shorthand Reporter and Registered Professional Reporter, at 53 West Jackson Boulevard, Suite 330, Chicago, Illinois, commencing at 10:05 a.m. on January 18th, 2016.	
1	I N D E X
2	WITNESS
3	DIANTE DANCY
4	Examination by Mr. Nathan 5
5	EXHIBITS
6	DIANTE DANCY DEPOSITION EXHIBIT
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14	(Exhibits retained by Ms. Susler.)
15	 - IT initial design
16	 - △ Counter de
17	 - IT rebuttal
18	 - △ counter-rebu
19	
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6	Balodimas, #21204; Robert Cordaro, #20680;
7	John J. Day, #20926; James M. Kelly, #21121;
8	Michael Landano, #20417; Anthony Noradin,
9	#21252; and Randall Wo, #20232.
10	ALSO PRESENT: Mr. Joe Beile, (Video Instanter)
11	*****
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13	THE VIDEOGRAPHER: For the record, my name is Joe Beile of Video Instanter. I'm the video recording
14	device operator for this deposition. Our business
15	address is 134 North LaSalle Street, Suite 1400,
16	Chicago, Illinois 60602.
17	This deposition is being video recorded
18	pursuant to the Federal Rules of Civil Procedure, and
19	all other applicable rules.
20	We are at 53 West Jackson Boulevard in
21	Chicago, Illinois, to take the video recorded
22	deposition of Diante Dancy in the matter of Nicole
23	Harris v. City of Chicago, et al., case
24	No. 14 CV 04391, in the United States District Court
1	for the Northern District Of Illinois, Eastern
2	Division.
3	Today's date is January 18th, 2016, and the
4	time is approximately 10:10 a.m.
5	Would the attorneys present please introduce
6	themselves for the record?
7	MS. SUSLER: I'm Jan Susler. I'm the attorney
8	for the plaintiff, Nicole Harris, and I'm also here
9	representing Diante Dancy.
10	MR. NATHAN: My name is Shneur Nathan. I
11	represent the defendant police officers in the case.

1 (Pages 1 to 4)

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<p>1 MR. HALE: Andy Hale for the police officer 2 defendants.</p> <p>3 MR. FLYNN: Kyle Flynn on behalf of the City of 4 Chicago.</p> <p>5 THE VIDEOGRAPHER: Will the court reporter please 6 swear in the witness?</p> <p>7 (Witness sworn.)</p> <p>8 DIANTE DANCY,</p> <p>9 called as a witness herein, having been first duly 10 sworn, was examined and testified as follows:</p> <p>11 EXAMINATION</p> <p>12 BY MR. NATHAN:</p> <p>13 Q. Good morning.</p> <p>14 A. Good morning.</p> <p>15 Q. Can you please state and spell your name 16 just for the record?</p> <p>17 A. Diante, D-I-A-N-T-E, Dancy, D-A-N-C-Y.</p> <p>18 Q. And how old are you?</p> <p>19 A. Sixteen.</p> <p>20 Q. And what's your date of birth?</p> <p>21 A. August 3rd, 1999.</p> <p>22 Q. Are you represented by an attorney today?</p> <p>23 A. Yes.</p> <p>24 Q. And who is that?</p>	<p>1 attorneys sometimes speak over each other, but in 2 ordinary speech and ordinary conversation, sometimes 3 it's even polite for you to anticipate what my 4 question is actually going to be and you just figure, 5 okay, I can get this over with by answering the 6 question; but I'm going to ask you to resist that 7 temptation. Just let me get out my complete question 8 before you begin to give your answer. Okay?</p> <p>9 A. Okay.</p> <p>10 Q. By the same token, I'll try to make sure 11 that I allow you to give a complete answer before I 12 ask the next question. Sound good?</p> <p>13 A. Yes.</p> <p>14 Q. My questions aren't always perfectly clear. 15 If at any point in time you don't understand a 16 question that I ask, I want you to tell me that. 17 Okay?</p> <p>18 A. Okay.</p> <p>19 Q. If you don't tell me that you don't 20 understand the question, then I'll assume you do 21 understand the question. Is that fair?</p> <p>22 A. Yes.</p> <p>23 Q. In the event that you need to take a break, 24 get some water -- You have water right there, but if</p>
Page 6	Page 8
<p>1 A. Miss Susler.</p> <p>2 Q. Miss Susler?</p> <p>3 A. Yes,</p> <p>4 Q. Before we get into the substance, I just 5 want to go through some of the basic rules and 6 procedures of how this deposition works --</p> <p>7 A. Okay.</p> <p>8 Q. -- and it will go smoothly, hopefully.</p> <p>9 As you see, there's a court reporter taking 10 down everything that's being said. Because of that, 11 we need to keep in mind that what's going to happen 12 ultimately, is there will be a written transcript with 13 questions and answers. In order for that to work out, 14 we need to give verbal responses to all the questions. 15 Okay?</p> <p>16 A. Okay.</p> <p>17 Q. So even though there's also a video here, 18 just pretend almost as if the video is not here. The 19 written transcript is not going to take down nods of 20 the head and things like "uh-uh" and "uh-uh," 21 things of that nature. Okay?</p> <p>22 A. Okay.</p> <p>23 Q. It's also important for us to not speak over 24 one another. It's usually the biggest problem when</p>	<p>1 you need some more, just let us know. And as long as 2 you answer the question that I've asked, it's totally 3 fine to take a break. Okay?</p> <p>4 A. Okay.</p> <p>5 Q. This is something that I ask, you know, at 6 almost every deposition, if I remember. Is there 7 anything that is going to prevent you from testifying 8 fully, truthfully, and accurately today, such as any 9 lack of sleep, medication, or anything of that nature?</p> <p>10 A. No.</p> <p>11 Q. Okay. What did you do to prepare for this 12 deposition?</p> <p>13 A. I talked to my lawyer.</p> <p>14 Q. When was that?</p> <p>15 A. One time in December, twice this month.</p> <p>16 Q. Okay. Where did the meeting happen in 17 December?</p> <p>18 A. My house.</p> <p>19 Q. And where was that?</p> <p>20 A. In the kitchen in my house.</p> <p>21 Q. Where is your house?</p> <p>22 A. 61st East Ingleside.</p> <p>23 Q. How do you spell "Ingleside"?</p> <p>24 A. I-N-G-E-L-S-I-D-E [sic].</p>

2 (Pages 5 to 8)

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1 Q. Did you ever live on Drexel?	2 A. Yes, with my mother.	1 Q. What did you discuss at that meeting?
3 Q. Okay. Where is that?	4 A. 51st and Drexel.	2 MS. SUSLER: Objection. I think you need to ask
5 Q. When did you move to 61 East Ingleside?	6 A. I don't remember.	3 a few more foundational questions because of the
7 MS. SUSLER: Objection. He didn't say he lived	8 at 61 East Ingleside. He said he lived at 61st and	4 attorney-client privilege. I would suggest that you
9 Ingleside.	10 MR. NATHAN: Okay. Thank you for the	5 ask whether the people who were present in the
11 clarification actually.	12 BY MR. NATHAN:	6 apartment were present during our attorney-client
13 Q. What's your address at Ingleside?	14 A. 6103 East Ingleside.	7 meeting.
15 Q. And who do you live with at 6103 East	16 Ingleside?	8 MR. NATHAN: Yeah, I asked that question already.
17 A. My mother.	18 Q. Okay. So do you remember when in December	9 MS. SUSLER: All right. Well...
19 this meeting was with your lawyer?	20 A. No, I don't.	10 MR. NATHAN: And he said that Mr. Perry was
21 Q. Before or after Christmas?	22 A. Before.	11 present for the entire time.
23 Q. Was anyone else present during this meeting?	24 A. Yes.	12 MS. SUSLER: All right. Maybe you should ask it
		13 again --
		14 MR. NATHAN: Okay.
		15 MS. SUSLER: -- because there's an
		16 attorney-client privilege.
		17 BY MR. NATHAN:
		18 Q. Do you want to change an answer that you
		19 gave me before?
		20 A. To make it clear, me and my lawyer was in
		21 the kitchen. Mom -- my mother and her lawyer was in
		22 the living room. Anthony was in the room -- my
		23 mother's room -- if that's clear.
		24 Q. So -- when you met with -- strike that.
Page 10		Page 12
1 Q. Who?	2 A. My mother, her boyfriend, and another	1 I'm just trying to understand -- understand,
3 lawyer.	4 Q. What's your mother's boyfriend's name?	2 because before you said that you had an hour-long
5 A. Anthony.	6 Q. And his last name?	3 meeting with Miss Susler, Joey Mogul, your mom, and
7 A. Perry.	8 Q. Does he live at 6103 East Ingleside as well?	4 Anthony Perry.
9 A. No.	10 Q. What was the name of the other lawyer who	5 MS. SUSLER: Objection. That misstates his
11 was present during the December meeting?	12 A. I don't remember her name.	6 testimony.
13 Q. Was that Joey Mogul?	14 A. Yes.	7 BY MR. NATHAN:
15 Q. How long was that meeting?	16 A. I can't say for exact sure but about an	8 Q. That's what you said before; right?
17 hour.	18 Q. And were all the individuals that you just	9 MS. SUSLER: Some objections.
19 mentioned present at the December meeting the entire	20 A. Yes.	10 BY MR. NATHAN:
21 time?	22 Q. At that meeting did you review any documents	11 Q. You can answer.
23 or any other types of materials?	24 A. No.	12 A. Yes.
		13 Q. And you said that that meeting happened in
		14 the kitchen; right?
		15 A. Yes.
		16 Q. So was there a point in time when some of
		17 those people left the room?
		18 A. No. Like I said before, me and my lawyer
		19 was in the kitchen -- a different room from my mother
		20 and Joey. They was having their own meeting. We were
		21 having our own meeting. Anthony was just in the room
		22 doing whatever he was doing.
		23 Q. And where was Anthony?
		24 A. My mother's room.

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<p>1 Q. And where was your mother sitting with Joey 2 and Anthony?</p> <p>3 MS. SUSLER: Objection, Vague and confusing.</p> <p>4 MR. NATHAN: I'm sorry?</p> <p>5 BY THE WITNESS:</p> <p>6 A. Can you restate that?</p> <p>7 Q. Sure. Where was your mother sitting with 8 Joey Mogul and Anthony?</p> <p>9 A. Anthony wasn't with them. Anthony was by 10 his self. My mother and Joey was in the living room.</p> <p>11 Q. So where was Anthony during the time that 12 you were meeting with Jan and your mother was meeting 13 with Joey?</p> <p>14 MS. SUSLER: Objection. Asked and answered.</p> <p>15 BY THE WITNESS:</p> <p>16 A. He was in my mother's room.</p> <p>17 Q. Which room?</p> <p>18 A. It's next to the kitchen.</p> <p>19 Q. Okay. Is it some kind of a bedroom?</p> <p>20 A. Yeah, bedroom.</p> <p>21 Q. I see. So you said during this December 22 meeting in your kitchen at Ingleside, you did not 23 review any documents, audio transcripts, anything like 24 that?</p>	<p>1 Q. Did I missstate something?</p> <p>2 A. No.</p> <p>3 Q. Okay. And those other two times were this 4 month?</p> <p>5 A. Yes.</p> <p>6 Q. And when was -- when were those meetings?</p> <p>7 A. The 16th and a week before.</p> <p>8 Q. Okay. Let's start with the 16th because 9 it's the most recent. Where did that happen?</p> <p>10 A. In the living room.</p> <p>11 Q. Also at Ingleside?</p> <p>12 A. Yes.</p> <p>13 Q. Who was present?</p> <p>14 A. Just me and my lawyer.</p> <p>15 Q. Which lawyer?</p> <p>16 A. Jan.</p> <p>17 Q. How long was that meeting?</p> <p>18 A. About three hours.</p> <p>19 Q. At this meeting did you review any 20 documents?</p> <p>21 A. Yes.</p> <p>22 Q. Where was your mom during this meeting?</p> <p>23 A. (Inaudible.)</p> <p>24 THE REPORTER: I'm sorry. Could you repeat that?</p>
<p>1 A. No.</p> <p>2 Q. Okay. I neglected to say this before during 3 the introductory matters section. As you saw, 4 sometimes in the deposition an attorney may have an 5 objection. You will also notice there is no judge or 6 jury in the room; right?</p> <p>7 A. Yes.</p> <p>8 Q. Because there is no judge, we are not going 9 to get a ruling on the objection. So despite the fact 10 that an attorney makes an objection, you go ahead and 11 answer the question anyway.</p> <p>12 A. Okay.</p> <p>13 MS. SUSLER: Unless I instruct you not to.</p> <p>14 THE WITNESS: All right.</p> <p>15 MR. NATHAN: That's true.</p> <p>16 MR. HALE: Are you getting enough light there?</p> <p>17 We have motion sensors. We can change that if you 18 need. Okay.</p> <p>19 BY MR. NATHAN:</p> <p>20 Q. You said you met with lawyers two other 21 times in order to prepare for the deposition; right?</p> <p>22 A. Yes.</p> <p>23 MS. SUSLER: Objection. Misstates his testimony.</p> <p>24 BY MR. NATHAN:</p>	<p>1 A. (Inaudible.)</p> <p>2 MS. SUSLER: She left out.</p> <p>3 BY MR. NATHAN:</p> <p>4 Q. Was she present during any of the meeting?</p> <p>5 A. No.</p> <p>6 Q. Did she first introduce you to your lawyers 7 before she left out of the house?</p> <p>8 A. Yes.</p> <p>9 Q. Did she sit there with you and your lawyer 10 for any amount of time --</p> <p>11 A. No.</p> <p>12 Q. Was anyone else in the house during this 13 meeting?</p> <p>14 A. No.</p> <p>15 Q. Okay. You said you reviewed materials 16 during this January 16th meeting; correct?</p> <p>17 A. Yes.</p> <p>18 Q. What materials did you review?</p> <p>19 A. Documents from the Judge, the interview with 20 the other doctor, and I think that's it.</p> <p>21 Q. Did you review any police reports?</p> <p>22 A. No.</p> <p>23 Q. Did you review any handwritten notes?</p> <p>24 A. No.</p>
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1 Q. Did you review any medical records?	1 A. No.
2 A. No.	2 Q. When was he in there with you?
3 Q. Did you review any videos?	3 A. Never.
4 A. No.	4 Q. So why did you say he was there?
5 Q. Did you review any audio?	5 A. He was in the house --
6 A. No.	6 MS. SUSLER: Objection to the form of your
7 Q. Was there any -- Strike that.	7 question. It's argumentative. Go ahead.
8 During the meeting which I'll call the	8 BY THE WITNESS:
9 middle meeting, the one you said you had a week before	9 A. He was in the household. He wasn't in the
10 your January 16th meeting, where was that?	10 kitchen with us.
11 A. In our kitchen, same apartment.	11 Q. And where was he in the house?
12 Q. Who was present?	12 A. My room.
13 A. My mother, Anthony -- they didn't come in	13 Q. What's Brian's last name?
14 till later -- but my mother, Anthony, Jan, me, and my	14 A. Lewis.
15 friend Brian.	15 q. Is he your best friend?
16 Q. How long was this meeting?	16 A. You could say that, yes.
17 A. About two hours.	17 Q. Was Brian Lewis ever in the room with you
18 Q. And where did this meeting take place?	18 during any discussions that you had about this case?
19 A. In our kitchen.	19 A. No.
20 Q. Did you guys have a meal?	20 Q. Have you ever talked about this case with
21 A. No.	21 Brian Lewis?
22 Q. During this two hours that you were meeting	22 A. Yes.
23 with your lawyers, was your mom in the kitchen with	23 Q. On how many different occasions?
24 you the whole time?	24 A. Just once.
Page 18	Page 20
1 A. No.	1 Q. When was that?
2 Q. How much of the time was your mom in the	2 A. The first time Jan came.
3 kitchen with you?	3 Q. So the first time --
4 A. Only for a couple minutes.	4 A. Excuse me. Not the first time, the second
5 Q. Was that at the beginning, middle, or the	5 time, when he was in the household.
6 end?	6 Q. And what did you tell him?
7 A. The end.	7 A. I can't remember exactly, but I just told
8 Q. The end?	8 him I'm meeting with the lawyer about a deposition
9 A. Yes.	9 that's happening on the 19th.
10 Q. During this two-hour meeting, was Anthony	10 Q. Did he ask you what the deposition was
11 Perry in the kitchen with you?	11 about?
12 A. Yes.	12 A. No.
13 Q. Was he in the kitchen with you the whole	13 Q. Did you tell him what the deposition was
14 time?	14 about?
15 A. No.	15 A. Yes.
16 Q. At what point in time was he in there with	16 Q. What did you tell him?
17 you?	17 A. I told him it was about what happened a
18 A. (Inaudible.)	18 couple years ago with my little brother.
19 THE REPORTER: I'm sorry?	19 Q. Had you discussed that subject with him
20 BY THE WITNESS:	20 before?
21 A. The end.	21 A. Yes.
22 Q. And during this two hours when you were	22 Q. What did you tell him about that?
23 meeting with your lawyer in the kitchen, was your	23 A. I just told him about what happened years
24 friend, Brian, in there with you the whole time?	24 ago, the incident between my brother and how he died.

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<p>1 Q. So let me ask you this: Do you have a 2 memory about the day that Jaquari died? 3 A. Not very much, no. 4 Q. When you say "not very much," what do you 5 mean? 6 A. The only thing I remember is him with the 7 string around his neck. And then after that I woke 8 up, nobody in the house. 9 Q. You're saying you actually have a memory in 10 your head of him with the string around his neck? 11 A. Yes. 12 Q. So how many times have you talked to Brian 13 Lewis about what happened to your little brother? 14 A. I don't remember. 15 Q. Was it numerous times? 16 A. No. 17 Q. Do you have any kind of estimate of how many 18 times you talked to him about that? 19 MS. SUSRER: Objection. Asked and answered. 20 BY THE WITNESS: 21 A. Probably twice. 22 Q. When was the last time that you talked to 23 him about it? Just during -- just during January, 24 that meeting you talked about earlier?</p>	<p>1 and all of that. 2 Q. And how big is the group on the advisory? 3 A. Not that big. 4 Q. Like, how many kids are in your advisory? 5 A. I can't give you an exact estimate, but 6 probably eight. 7 Q. And are these kids people that you've been 8 in the same advisory with since you were a freshman? 9 A. Yes. 10 Q. So when you first started getting close with 11 Mr. Lewis, what did you tell him about what happened 12 with your little brother? 13 A. I don't remember exactly, but for sure I 14 know I told him about what happened when I was five 15 years old. 16 Q. Did you tell him exactly what you saw? 17 A. No. 18 Q. When you say you told him about what 19 happened when you were five years old, what did you 20 tell him? 21 A. I don't remember exactly what I told him. 22 Q. Did you tell him that your mom was in prison 23 at the time? 24 A. Yes.</p>
<p style="text-align: center;">Page 22</p> <p>1 A. Yes. 2 Q. And what was the other time that sticks out 3 in your head? 4 A. I don't remember. Probably when we first 5 started being close. 6 Q. And how old were you? 7 A. Fifteen. 8 Q. How did you come to meet Mr. Lewis? 9 A. School. 10 Q. Did you just change schools and that's how 11 you became friends? 12 A. No. When I first went to high school, he 13 was in my advisory. 14 Q. And which high school was that? 15 A. Johnson College Prep. 16 Q. Are you still at Johnson? 17 A. Yes. 18 Q. And what year are you in? 19 A. Junior. 20 Q. You said he's in your advisory? 21 A. Yes. 22 Q. What is that? 23 A. It's like -- I want to say a classroom where 24 your own teacher who just looks after your grades, GPA.</p>	<p style="text-align: center;">Page 24</p> <p>1 Q. What did you tell him about that? 2 A. I don't remember. 3 Q. Did you tell him about -- strike that. 4 Did you tell him that you were sleeping when 5 Jaquari died? 6 A. No. 7 Q. Do you remember anything else that you told 8 him during that first discussion that you had with him 9 about what happened to your little brother? 10 A. No. 11 Q. All right. So now going to the conversation 12 you had with Brian Lewis in January. What did you 13 tell him then? 14 A. I told him that when she was coming to meet 15 with me, I told him that I'm getting ready for a 16 deposition today about what happened when my -- a 17 couple years ago. 18 Q. And did you actually tell him about whatever 19 you remember from that day? 20 A. No. 21 Q. Did he ask you? 22 A. No. 23 Q. In January when you were talking to Brian 24 about this case, did you tell him anything else that</p>

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<p>1 you haven't already told me?</p> <p>2 A. No.</p> <p>3 Q. So when you first talked to Brian Lewis</p> <p>4 about this case and you had just met him, you told him</p> <p>5 that your mom was in prison; right?</p> <p>6 A. Mm-hmm.</p> <p>7 Q. "Yes"?</p> <p>8 A. Yes.</p> <p>9 Q. Just reminding you so we don't get into a</p> <p>10 habit.</p> <p>11 A. Okay.</p> <p>12 Q. And you told him that you -- you said you</p> <p>13 told him that you actually saw what happened; right?</p> <p>14 A. Yes.</p> <p>15 Q. Did you tell him at all about -- well, did</p> <p>16 he ask you, did your mom do it?</p> <p>17 A. No.</p> <p>18 Q. Did you tell him anything about that?</p> <p>19 MS. SUSLER: Objection. Form. Vague.</p> <p>20 BY THE WITNESS:</p> <p>21 A. Can you explain that?</p> <p>22 Q. Did you tell him anything about your</p> <p>23 thoughts about whether your mom killed Jaquari?</p> <p>24 A. No.</p>	<p>1 what I remember. And as I think about what I</p> <p>2 remember, it comes to mind that she didn't do it.</p> <p>3 Q. How old were you when you changed your</p> <p>4 mind-set?</p> <p>5 A. Don't know.</p> <p>6 Q. Are we talking about when you're still like</p> <p>7 five or six or seven?</p> <p>8 A. No, around 15 or 14.</p> <p>9 Q. Was this before or after she was released</p> <p>10 from prison that your mind-set changed?</p> <p>11 A. Before.</p> <p>12 Q. How much before? Like a year before or</p> <p>13 less?</p> <p>14 A. Less.</p> <p>15 Q. Did you meet with any lawyers who discussed</p> <p>16 with you during that time period whether they thought</p> <p>17 she had committed this crime?</p> <p>18 MS. SUSLER: Objection. Form. Vague. What do</p> <p>19 you mean by "that time period"?</p> <p>20 THE WITNESS: Yes.</p> <p>21 BY MR. NATHAN:</p> <p>22 Q. You said yes?</p> <p>23 A. No. Can you explain that again?</p> <p>24 Q. You said when you were 14 or 15 your</p>
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<p>1 Q. And why not?</p> <p>2 A. It's just a personal matter I should keep to</p> <p>3 myself.</p> <p>4 Q. At that point in time, did you have any</p> <p>5 thoughts about that topic?</p> <p>6 MS. SUSLER: Objection. Form. Vague.</p> <p>7 BY THE WITNESS:</p> <p>8 A. I did.</p> <p>9 Q. What were your thoughts at the time?</p> <p>10 A. At first I wasn't sure but, you know, rumors</p> <p>11 spread around quick. So some family members thought</p> <p>12 she did do it; some she didn't. I just stuck with, I</p> <p>13 don't know for sure.</p> <p>14 Q. At what point -- is that still your mind-set</p> <p>15 today?</p> <p>16 A. No.</p> <p>17 Q. Okay. What's your mind-set today about</p> <p>18 that?</p> <p>19 A. I don't think she did it.</p> <p>20 Q. When did that mind-set change from you stuck</p> <p>21 with, I don't know for sure if she did it to I don't</p> <p>22 think she did it?</p> <p>23 A. Probably one of them days when I just stuck</p> <p>24 by myself and thought a lot, and I just think about</p>	<p>1 mind-set changed from I don't know for sure if she did</p> <p>2 or didn't do it to I don't think she did it; right?</p> <p>3 A. Yes.</p> <p>4 Q. During that time period when you're 15 or</p> <p>5 14, did you meet with any of your mom's lawyers?</p> <p>6 A. Yes.</p> <p>7 Q. And who did you meet with during that time</p> <p>8 period?</p> <p>9 A. All.</p> <p>10 Q. All?</p> <p>11 A. Yes.</p> <p>12 Q. Is that a first name?</p> <p>13 A. Yes.</p> <p>14 Q. What's the last name?</p> <p>15 A. I don't know.</p> <p>16 Q. Do you remember what law firm Ali was with?</p> <p>17 A. No.</p> <p>18 Q. How many times did you meet with Ali?</p> <p>19 A. Around that time or overall?</p> <p>20 Q. Let's start with when you were 15 or 14</p> <p>21 during that time when you changed mind-sets.</p> <p>22 A. Once.</p> <p>23 Q. Once? Where did you meet with her?</p> <p>24 A. At my grandma house in the living room.</p>

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1 Q. Was anyone else present? 2 A. Yes. 3 Q. Who was there? 4 A. Either my dad or my grandma -- I don't know 5 for sure -- and two other lawyers. 6 Q. Do you know their names, those other 7 lawyers? 8 A. No. 9 Q. Were they male or female? 10 A. One male, one female. 11 Q. Is Ali a male or female? 12 A. Female. 13 Q. Can you describe her at all? 14 A. Blond hair, a little pale, and that's it. 15 Q. Is Ali's name Allison Plaum? 16 A. I don't know. 17 Q. Did you meet with Ali on any other 18 occasions? 19 A. Yes, before. 20 Q. Before we do that, at that point in time -- 21 well, let me back up. 22 Allison -- Allison or Ali was not your 23 lawyer, right? 24 A. No.	1 Q. So my question now -- I'll ask it again -- 2 is, what did she talk to you about? 3 A. I don't remember. 4 Q. Okay. So how many other times did you meet 5 with this lawyer named Ali? 6 A. Plenty of times. 7 Q. When you say "plenty of times," are we 8 talking about 20 times, 10 times? 9 A. Not 20, around 10. 10 Q. When did you first meet with Ali? 11 A. I don't remember. 12 Q. How old were you about? 13 A. Young. Around six, seven. 14 Q. You said that you met with Attorney Ali when 15 you were around 14 or 15 one time; right? 16 A. Yes. 17 Q. What was the time closest to that, that you 18 met with her? 19 A. I don't remember. 20 Q. Are we talking about like when you're 13, 21 12? 22 A. Don't remember. 23 Q. Are we talking about which you're closer to 24 six or seven?
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1 MS. SUSLER: Objection. Form. He said he didn't 2 know if Ali was Allison. So if you -- 3 MR. NATHAN: Okay. You're right. 4 MS. SUSLER: -- can just put them in the same 5 question. It's confusing and misrepresented -- 6 MR. NATHAN: So let me -- let me -- let me 7 rephrase that. 8 BY MR. NATHAN: 9 Q. This woman you're referring to as Ali, you 10 didn't -- she wasn't your lawyer, right? 11 A. No. 12 Q. Okay. So what did she say to you during 13 this meeting? 14 A. I don't remember. 15 MS. SUSLER: Objection. Form. Which meeting are 16 we talking about? 17 MR. NATHAN: The one meeting he referred to when 18 he was around 15 or 14. 19 MS. SUSLER: I just want to be clear for the 20 record. 21 BY MR. NATHAN: 22 Q. That's the meeting we're talking about, 23 okay? 24 A. Okay.	1 A. Not sure. I don't remember. 2 Q. How many times did you meet with Attorney 3 Ali when you were around six or seven? 4 A. I don't remember. 5 Q. When you had those about 10 meetings with 6 Ali, were they concentrated in one time period or were 7 they spread out throughout the year, since you were 8 six or seven? 9 MS. SUSLER: Objection. Form. Vague. But you 10 can answer. 11 BY THE WITNESS: 12 A. Can you explain that? 13 Q. I'll try. You said you don't remember 14 exactly when you met with Attorney Ali these about 10 15 times or plenty of times; right? 16 A. Yes. 17 Q. I'm trying to understand if the meetings 18 were mostly concentrated during a single period of 19 time or if it was just throughout your time period -- 20 throughout your life -- you'd randomly meet with her? 21 A. Throughout my life randomly. 22 Q. Do you remember if your dad was present 23 during all of these meetings with her? 24 A. No.

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1	MS. SUSLER: Objection. Form.	1	Q. Do you have an estimate as to how many times
2	BY MR. NATHAN:	2	you talked to your father about what happened to
3	Q. Do you remember if your dad was present with	3	Jaquari?
4	any of these meetings with her?	4	A. Once or twice.
5	A. Yes.	5	Q. And when was the last time you talked to
6	Q. And what's the answer to that?	6	your dad about this?
7	A. He was present for some of the meetings.	7	A. Don't remember. Not sure. Probably around
8	Q. About how many of them was he present for?	8	when I first talked to him about it.
9	A. Don't know.	9	Q. Okay. And when did you first talk to him
10	Q. More than half or less than half?	10	about it?
11	A. Less than half.	11	A. Around seven or six.
12	Q. More than two or three?	12	Q. When you were six or seven and talked to
13	A. Yes.	13	your dad the two times, where did the conversations
14	Q. And how old were you when you met with this	14	take place?
15	Attorney All together with your dad?	15	MS. SUSLER: Objection. Objection. You
16	A. I don't remember.	16	misstated his testimony.
17	Q. Is this when you were six or seven?	17	BY MR. NATHAN:
18	A. The first time, yes.	18	Q. Let me break it down. You said you met with
19	Q. And that's when - the first time you met	19	your dad two different times and talked to him about
20	with All together with your dad?	20	Jaquari dying; correct?
21	A. Yes.	21	MS. SUSLER: Objection. Objection. You
22	Q. And where was this meeting?	22	misstated his testimony. He said once or twice.
23	A. In my grandma house, the living room.	23	BY MR. NATHAN:
24	Q. That's the 85th and Sangamon?	24	Q. Correct?
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1	A. Yes.	1	A. Yes.
2	Q. What's the address there?	2	Q. And you said that you were six or seven
3	A. 8514 South Sangamon.	3	during these conversations; correct?
4	Q. Do you know if your grandmother thought that	4	A. Yes.
5	Jaquari was killed by your mom?	5	Q. All right. So let's just refer to the first
6	MS. SUSLER: Objection. Foundation. Go ahead.	6	time you had this conversation with your father.
7	You can answer.	7	Where was it?
8	BY THE WITNESS:	8	A. In his room, in my grandma house.
9	A. No.	9	Q. And the second time you talked to him about
10	Q. Did she ever talk to you about that?	10	it?
11	A. No.	11	A. I don't remember. Once or twice. I don't
12	Q. Did your father ever talk to you about	12	remember.
13	whether he thought your mom killed Jaquari?	13	Q. Okay. So do you actually have a specific
14	A. No.	14	memory in your head of talking to him about this?
15	Q. Did you ever talk to your dad about what	15	A. The one time, yes.
16	happened the day Jaquari died?	16	Q. And that memory is a memory of you sitting
17	A. Yes.	17	and talking to him at your grandmother's house in his
18	Q. How many times did you talk to your dad	18	bedroom?
19	about that?	19	A. Yes.
20	A. Don't remember.	20	Q. Was the bedroom upstairs or downstairs?
21	Q. Was it plenty of times?	21	A. Downstairs.
22	A. No.	22	Q. On the main floor?
23	Q. Was it about 30 times?	23	A. No, the basement.
24	A. No.	24	Q. The basement. And how long was this

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1 conversation? 2 A. Not very long. 3 Q. How many minutes? 4 A. I can't say exactly. 5 Q. And you were six or seven? 6 A. Yes. 7 Q. And isn't it true you told him during that conversation that you didn't see what happened because you were asleep? 8 MS. SUSLER: Objection. Form and argumentative. 9 BY THE WITNESS: 10 A. I don't remember that. 11 Q. Do you remember what you told him during that conversation? 12 A. No. 13 MS. SUSLER: I'm sorry. Could you read the last couple of questions and answers? 14 (Record read as requested.) 15 MS. SUSLER: Thank you so much. 16 BY MR. NATHAN: 17 Q. Okay. So you just testified that you don't remember what you told your dad during that conversation in his room in the basement of 85th and Sangamon; right? 18	1 A. Okay. 2 Q. And you just said that you don't remember what you told him, correct? 3 A. No. 4 Q. Are you aware of the fact that your father recently provided deposition testimony saying that he talked to you back when you were six or seven, and you told him that you were sleeping when Jaquan died, and you didn't see what happened? 5 MS. SUSLER: Objection to the form. 6 BY THE WITNESS: 7 A. No. 8 Q. Do you have any reason to think that he's lying when he said that? 9 MS. SUSLER: Oh, objection. Form. That's inappropriate. 10 MR. NATHAN: You made your objection. 11 BY MR. NATHAN: 12 Q. Do you have any reason to think he's lying? 13 A. No. 14 Q. Do you dispute -- dispute that, if that's his testimony? 15 MS. SUSLER: Objection. He wasn't present at the deposition. You're asking him unfair questions. 16
17	Page 40
18 MS. SUSLER: Objection. Asked and answered. 19 MR. NATHAN: You just -- you just -- you just asked for a read back, and I'm trying to bring back to where we were. 20 MS. SUSLER: This is going to be a very long deposition if you keep asking the same questions over and over. 21 MR. NATHAN: If you don't interrupt me then we'll be able to -- 22 MS. SUSLER: You're not going to instruct me how to practice law. Ask a question and let's proceed. 23 MR. NATHAN: The same goes both ways. 24 MS. SUSLER: I'll object when I think it's appropriate. 1 MR. NATHAN: Let me just ask my questions, and you're free to make objections. 2 MS. SUSLER: I wish you would. 3 MR. NATHAN: And I'm not going to stop you from doing that, but try not to do speaking objections or tell me what to do. 4 BY MR. NATHAN: 5 Q. I'm bringing your attention back to the conversation you had with your dad at your grandmother's house in the basement. Okay? 6	1 MR. NATHAN: Okay. 2 BY THE WITNESS: 3 A. Can you explain that? 4 Q. Are you arguing with his testimony? 5 A. No. 6 MS. SUSLER: Same objections. 7 BY MR. NATHAN: 8 Q. Do you think that your memory of the incident is better today than it was when you were six or seven? 9 A. No. 10 Q. Do you think that your memory of what happened to Jaquan was better when you were six or seven than it is today? 11 A. Yes. 12 Q. And why is that? 13 A. Because it was -- when I was six or seven, it was more recent. So therefore, I actually remember more than now. 14 Q. And when you were six or seven, there were also fewer people that had talked to you about what had happened and what they thought had happened, and is that also true? 15 MS. SUSLER: Objection. Form. 16

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<p>1 BY THE WITNESS: 2 A. Yes. 3 Q. Does sometimes all the people asking you 4 what happened and telling you what they think happened 5 confuse you? 6 MS. SUSLER: Objection. Form. 7 BY THE WITNESS: 8 A. Sometimes. 9 Q. And why does it confuse you? 10 A. Because -- I don't know. I can't say for 11 sure, but it's just -- it's their own thoughts and just 12 running around in my head. 13 Q. So what runs around in your head? 14 A. Some people say she did do it; some people 15 say that she didn't; and it's like I'm just in the 16 middle of it. 17 Q. Do you wish you weren't in the middle of it? 18 A. Excuse me? 19 Q. Do you wish you were not in the middle of 20 it? 21 A. Yes. 22 Q. Why is that? 23 A. Because it just makes it hard on me just 24 because I was the only person who actually saw what</p>	<p>1 your own memory -- 2 A. No. 3 Q. -- because various people are talking to you 4 about it? 5 A. No. 6 Q. Why not? 7 A. Because I remember what I saw. 8 MR. NATHAN: I'm going to take a break for a few 9 minutes. 10 THE WITNESS: Okay. 11 THE VIDEOGRAPHER: We are now going off the 12 record at 10:59 a.m. 13 (A short break was had.) 14 THE VIDEOGRAPHER: The time is 11:14 a.m. We are 15 now back on the record. 16 BY MR. NATHAN: 17 Q. Okay. During the break did you have a 18 chance to meet with your attorney? 19 A. Yes. 20 (Dancy Deposition Exhibit Nos. 126A and 21 126B marked as requested.) 22 BY MR. NATHAN: 23 Q. I'm handing you what's been marked as 24 Exhibit 126A and B. Skipped in sequence 125, but</p>
<p>1 happened. 2 Q. Or the only person that didn't see what 3 happened if your dad's telling the truth; right? 4 MS. SUSLER: Objection. Argumentative and form. 5 BY THE WITNESS: 6 A. Don't know. 7 Q. Do you feel like if you don't say what -- 8 that you saw what happened, you're letting somebody 9 down? 10 A. No. 11 Q. During the plenty of times that you met with 12 Attorney Ali, did she tell you what she hoped you 13 could provide for her in terms of testimony? 14 A. I don't remember. 15 Q. How many different times since Jaquani 16 passed away have lawyers, or psychologists, 17 psychiatrists, or interviewers talked to you and asked 18 you about what you remember from that day? 19 A. A lot of times. 20 Q. Probably over 50 times? 21 A. No, not over 50. 22 Q. So what are we talking? Over 30 times? 23 A. No. It would be 15. 24 Q. And does that cause you to sometimes doubt</p>	<p>1 we'll come back to that. 2 Do you see the people in those photos? In 3 the first -- 126A, the female photograph, do you 4 recognize who that is? 5 A. No. It looks familiar, but I can't say. 6 Q. Is that the Attorney Ali that you were 7 referring to? I realize it's a pixelated photo but -- 8 A. Yes. 9 Q. And is the guy in the second photo, 126B, is 10 that one of the people that were in your house during 11 the meeting that you described earlier with Ali and 12 two other lawyers? 13 A. I don't remember. 14 Q. Let me have that back. I don't have a color 15 for this one, but this is going to be 126C. 16 (Dancy Deposition Exhibit Nos. 126C 17 marked as requested.) 18 BY MR. NATHAN. 19 Q. Is the person in that photograph one of the 20 lawyers that was in your house together with Ali? 21 A. No. 22 Q. Earlier you said that you had some family 23 members that thought your mom killed Jaquani and some 24 that didn't; right?</p>

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1	A. Yes.	1 start off, but he would say that my mom did it, and I
2	Q. How did you know that?	2 would contradict what he said. And I remember that my
3	A. Like my brother, Sta-von Jackson, Jr.,	3 brother killed his self. And we used to always argue
4	some of them brought out their own opinions of what	4 back and forth.
5	they thought.	5 Q. When's the last time you had this argument
6	Q. So they would talk to you about it?	6 with him?
7	A. Yes. Some, not all.	7 A. I don't remember.
8	Q. So who would talk to you about that?	8 Q. Was it this year?
9	A. Mostly my brother -- me and my brother had	9 A. No.
10	many arguments over the topic. My sister -- she put	10 Q. Was it last year?
11	her opinion in -- and my auntie.	11 A. No. I would say when we was young, probably
12	Q. And anyone else that had their opinion about	12 around -- I don't know -- 10 or 11.
13	it?	13 Q. Would he make fun of you?
14	A. Not that I remember.	14 A. No.
15	Q. So your brother that used to argue about --	15 Q. Why did Sta-von, Jr., think that your mom
16	Strike that.	16 killed Jaquarl?
17	The brother that you had many arguments with	17 MS. SUSLER: Objection, Foundation.
18	about this topic --	18 BY THE WITNESS:
19	A. Yes.	19 A. I don't know.
20	Q. -- is that Sta-von, Jr.?	20 Q. And what about your sister, Kimberly?
21	A. Yes.	21 A. I don't know why she thought that.
22	Q. And the sister that you mentioned talking to	22 Q. How did you learn that she thought that your
23	about this, what's her name?	23 mom killed Jaquarl?
24	A. Kimberly Dancy.	24 A. On Christmas -- no, not Christmas. Around
	Page 46	Page 48
1	Q. And who is the auntie that you referred to	1 Christmas she told me her opinion of what she thought
2	earlier?	2 Q. Was that this Christmas?
3	A. We always called her Pat. I can't say her	3 A. No. It was the same year my grandma died,
4	actual name.	4 2013.
5	Q. How was she your auntie?	5 Q. So before we move on to your conversation
6	A. That's my dad's sister, older sister.	6 with Kimberly, I just want to go back to the
7	Q. Do you know her last name?	7 conversation that you had with Sta-von. Tell me
8	A. No.	8 everything that he said about what he thought relating
9	Q. Where does she live?	9 to Jaquarl.
10	A. Iowa.	10 MS. SUSLER: Let me just interpose. It's not
11	Q. Have you been to her house?	11 really an objection, but for a clarification, when you
12	A. No.	12 say "Sta-von," can you say "Sta-von, Jr.," since his
13	Q. When was the last time you've seen her?	13 father's name is also Sta-von?
14	A. Christmas, 2013, when my grandma died.	14 MR. NATHAN: Yes.
15	Q. She came in from Iowa?	15 BY MR. NATHAN:
16	A. Yes.	16 Q. Right now I'm asking you about Sta-von, Jr.
17	Q. Have you ever been to her house in Iowa?	17 A. Yes. I don't remember everything, but
18	A. No.	18 multiple times at his house or my house the
19	Q. Okay. So you said you had some arguments	19 conversation would come up and he would tell me like,
20	with Sta-von, Jr., you said you had many arguments	20 no -- we were always arguing, and he would tell me
21	with him?	21 like, no, your mom killed Jaquarl and everybody knows
22	A. Yes.	22 it. And I always tell him that no, she didn't, that
23	Q. What would you argue about with him?	23 Jaquarl killed his self.
24	A. I don't remember how the conversation would	24 It mostly happened when we were just young.

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<p>1 Now, we don't even talk about the topic.</p> <p>2 Q. When you say, "everybody knows it," did he</p> <p>3 say what he was talking about?</p> <p>4 A. No.</p> <p>5 Q. Was that your sense that basically everybody</p> <p>6 thought that?</p> <p>7 A. Yes.</p> <p>8 Q. And when you said basically everybody</p> <p>9 thought that, who are you referring to?</p> <p>10 A. Mostly my dad's side of the family.</p> <p>11 Q. So who on your dad's side of the family</p> <p>12 thought that your mom killed Jaquarl?</p> <p>13 A. I don't know everybody. I know my brother,</p> <p>14 my sister, and my aunts.</p> <p>15 Q. Did your father ever tell you that he</p> <p>16 thought your mom killed Jaquarl?</p> <p>17 MS. SUSLER: Objection. Asked and answered.</p> <p>18 BY THE WITNESS:</p> <p>19 A. No.</p> <p>20 Q. Is there anybody else in your family, either</p> <p>21 your dad's side or your mom's side, that you believe</p> <p>22 thought she killed Jaquarl?</p> <p>23 MS. SUSLER: Objection. Form.</p> <p>24 BY THE WITNESS:</p>	<p>1 sleeping --</p> <p>2 A. No.</p> <p>3 Q. -- when Jaquarl died?</p> <p>4 A. No.</p> <p>5 Q. Did you tell anybody, to your recollection,</p> <p>6 that you were sleeping when Jaquarl died?</p> <p>7 A. I don't know.</p> <p>8 Q. And you say, "I don't know," because you may</p> <p>9 have said that?</p> <p>10 A. Yes.</p> <p>11 Q. Now, you said that you talked to Kimberly</p> <p>12 Dancy in Christmas of 2013, and she said that she</p> <p>13 thought your mom killed Jaquarl?</p> <p>14 A. Yes.</p> <p>15 Q. What specifically did she say?</p> <p>16 A. I can't remember, but I remember her telling</p> <p>17 me that my mom did it and -- She said more. I just</p> <p>18 can't remember. It was mostly from a news article --</p> <p>19 an old news article around when Jaquarl first died</p> <p>20 that made her believe that.</p> <p>21 Q. Now, Christmas 2013, were you still, in your</p> <p>22 mind -- were you still in the frame of mind, I don't</p> <p>23 know for sure, like you said earlier, or did you</p> <p>24 already move over to, I don't think she did it?</p>
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<p>1 A. No.</p> <p>2 Q. Did Sta-von, Jr., ever tell you anything</p> <p>3 else about how he came to believe that everybody knows</p> <p>4 that your mom killed Jaquarl?</p> <p>5 A. No.</p> <p>6 Q. How did that make you feel when he would say</p> <p>7 that?</p> <p>8 A. Angry.</p> <p>9 Q. Why would that make you feel angry?</p> <p>10 A. Because I felt like that what I saw and what</p> <p>11 I remembered was the truth, and I still think it is,</p> <p>12 but every time he would just say that no, she did it,</p> <p>13 she did it, it would just make me mad.</p> <p>14 So that -- basically, just makes me mad that</p> <p>15 (Inaudible response).</p> <p>16 THE REPORTER: I'm sorry. "But basically just</p> <p>17 makes me"?</p> <p>18 BY THE WITNESS:</p> <p>19 A. Think that he -- makes me think that he just</p> <p>20 going against my own thought.</p> <p>21 Q. Did he ever tell you no, you don't know what</p> <p>22 happened because you were sleeping?</p> <p>23 A. No.</p> <p>24 Q. Did you ever tell him that you were</p>	<p>1 MS. SUSLER: Objection. Form.</p> <p>2 BY THE WITNESS:</p> <p>3 A. I believe -- I don't know, I don't</p> <p>4 remember.</p> <p>5 Q. So it's possible that Christmas 2013 you</p> <p>6 still were in the frame of mind that, I don't know for</p> <p>7 sure?</p> <p>8 A. It could have been, yes.</p> <p>9 Q. Did you say anything to Kimberly during this</p> <p>10 Christmas 2013 conversation?</p> <p>11 A. I don't remember.</p> <p>12 Q. Did she say any other reason why she thought</p> <p>13 she -- why -- Strike that.</p> <p>14 Did Kimberly, during this 2013 Christmas</p> <p>15 conversation, tell you that she believed your mom did</p> <p>16 it, for any other reason?</p> <p>17 A. I don't remember.</p> <p>18 Q. How long was the conversation?</p> <p>19 A. About an hour.</p> <p>20 Q. Was anyone else there?</p> <p>21 A. In the household or just the conversation?</p> <p>22 Q. Present for your conversation.</p> <p>23 A. Just me and her.</p> <p>24 Q. How old is she -- Kimberly?</p>

13 (Pages 49 to 52)

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Page 53	Page 55
<p>1 A. Then or now?</p> <p>2 Q. Well, how old is she now?</p> <p>3 A. Twenty-two.</p> <p>4 Q. And how would you describe this conversation</p> <p>5 you had with her? Was it an argument or more of like</p> <p>6 a heart-to-heart discussion?</p> <p>7 A. Heart to heart.</p> <p>8 Q. So no one was yelling at each other?</p> <p>9 A. No.</p> <p>10 Q. Have you since spoken with Kimberly Dancy</p> <p>11 about whether Jaquari was killed by your mom?</p> <p>12 A. Ever since?</p> <p>13 Q. Ever since that Christmas 2013 discussion?</p> <p>14 A. No.</p> <p>15 Q. That's the last time you talked to her about</p> <p>16 it?</p> <p>17 A. Yes.</p> <p>18 Q. Do you remember any other conversations that</p> <p>19 you had with your sister, Kimberly, about Jaquari's</p> <p>20 death?</p> <p>21 A. Don't remember, no.</p> <p>22 Q. Are you close with this sister, Kimberly?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. And you said that you talked with</p>	<p>1 Q. What do you mean by that, you had "no choices</p> <p>2 of words"?</p> <p>3 A. Like I didn't feel like it was necessary to</p> <p>4 respond to it because the way she -- the way she said</p> <p>5 it was not a positive way.</p> <p>6 Q. During the conversation you had with</p> <p>7 Kimberly about this topic, were you angry?</p> <p>8 A. No.</p> <p>9 Q. It was just a heart-to-heart discussion?</p> <p>10 A. Yes.</p> <p>11 Q. And that was a positive or constructive</p> <p>12 conversation?</p> <p>13 A. Yes.</p> <p>14 Q. And did you, at that time, convince Kimberly</p> <p>15 to think differently?</p> <p>16 A. No.</p> <p>17 Q. Did you walk away from that conversation</p> <p>18 still in your head, in the frame of mind that maybe</p> <p>19 she did it; maybe she didn't?</p> <p>20 A. Yes.</p> <p>21 Q. So is another reason you didn't argue with</p> <p>22 your Auntie Pat because you weren't really sure</p> <p>23 whether to argue or not argue?</p> <p>24 A. Yes.</p>
Page 54	Page 56
<p>1 your Auntie Pat about her belief that your mom killed</p> <p>2 Jaquari?</p> <p>3 A. Yes. Not necessarily a conversation, but</p> <p>4 more like -- just her own opinion out loud, at random.</p> <p>5 Q. Where was this?</p> <p>6 A. My grandma house.</p> <p>7 Q. Was this before or after your grandma passed</p> <p>8 away?</p> <p>9 A. After.</p> <p>10 Q. Was anyone else present for this</p> <p>11 conversation?</p> <p>12 A. No.</p> <p>13 Q. And what did your Auntie Pat say?</p> <p>14 A. I don't remember exactly, but I just</p> <p>15 remember her saying something about my momma killing</p> <p>16 Jaquari or something like that.</p> <p>17 Q. How did that come up?</p> <p>18 A. I don't remember.</p> <p>19 Q. Did you respond?</p> <p>20 A. No.</p> <p>21 Q. Why not?</p> <p>22 A. Because it was kind of like after my sister</p> <p>23 had the talk with me, so I didn't really have no</p> <p>24 choices of words.</p>	<p>1 Q. Did any of your family members ask you if</p> <p>2 your mom killed Jaquari?</p> <p>3 A. No.</p> <p>4 Q. And just so I'm clear, did anybody come</p> <p>5 straight out and say, did you see your mom kill your</p> <p>6 brother?</p> <p>7 A. My brother did, Sta-von.</p> <p>8 Q. Sta-von, Jr., asked?</p> <p>9 A. Yes.</p> <p>10 Q. When did he ask you that?</p> <p>11 A. One of my arguments -- I don't remember</p> <p>12 when.</p> <p>13 Q. And how old were you back then?</p> <p>14 A. I'm not sure. Don't know.</p> <p>15 Q. Was that still when you were around 10 or</p> <p>16 11?</p> <p>17 A. Yes.</p> <p>18 Q. And how did you respond to his direct</p> <p>19 question?</p> <p>20 A. Can you repeat the question?</p> <p>21 Q. Sure. You said that -- during one of your</p> <p>22 arguments with Sta-von, Jr., he came out and asked</p> <p>23 you, did you see your mom kill Jaquari; right?</p> <p>24 A. Mm-hmm. Yes.</p>

14 (Pages 53 to 56)

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Page 57		Page 59
1 Q. And my question to you was, how did you	2 respond to that question?	1 tape.
3 A. I don't remember, but I believe I told him	4 that she didn't. And I always stuck with what I said	2 Q. But your lawyers -- during the three
5 that Jaquari killed his self with the string.	6 Q. And was that one of the arguments where you	3 meetings that you had with your lawyers in the last
7 were mad?	8 A. Yes.	4 month or so, you did not see that videotape?
9 Q. Did anyone else in your family ask you that	10 direct question: Did you see your mom kill Jaquari?	5 A. No.
11 A. I don't remember.	12 (Dancy Deposition Exhibit No. 125	6 MS. SUSLER: Objection to form.
13 marked as requested.)	14 BY MR. NATHAN:	7 BY MR. NATHAN:
15 Q. I'm handing you what's been marked as	16 Exhibit 125. Okay. So earlier in the deposition I	8 Q. And you understand that you have seen --
17 asked you if you reviewed any documents to prepare.	18 A. Yes,	9 read the transcript of that videotape within the last
19 Q. And you said that you did review your	20 interview with Dr. Galatzer-Levy.	10 month or so?
21 MS. SUSLER: Objection. That misstates his	22 testimony.	11 MS. SUSLER: Objection. Form.
23 BY MR. NATHAN:	24 Q. Did you say that before?	12 BY THE WITNESS:
		13 A. I didn't read it, but I just skimmed through
		14 it. (Inaudible response.)
		15 THE REPORTER: I'm sorry.
		16 BY THE WITNESS:
		17 A. More likely I skimmed through it.
		18 Q. And do you understand that you were
		19 interviewed by Dr. Galatzer-Levy on two separate
		20 occasions in 2006?
		21 A. Yes.
		22 Q. The first occasion was April 11th, 2006?
		23 A. I don't remember.
		24 Q. And the second occasion was April 15th,
Page 58		Page 60
1 A. Yes.	2 Q. Is this what you reviewed?	1 2006?
3 A. No. Well, similar. I'm not sure it's the	4 same document.	2 A. I don't remember.
5 Q. Okay. Did you actually review -- there's a	6 videotape of you being interviewed by the doctor?	3 Q. If the transcript says that, do you have any
7 A. Yes, but not recent.	8 Q. Okay. But you've seen that before?	4 reason to dispute that?
9 A. Yes.	10 Q. Do you remember that interview?	5 A. No.
11 A. No.	12 Q. Okay. So just so I'm clear, I'm asking you	6 Q. Now, in April of 2006, your memory was
13 If, as you're sitting here, and, you know, if you were	14 to close your eyes and think into your brain, do you	7 fresher than it is today about what happened to
15 have an actual memory of sitting in that office with	16 Dr. Galatzer-Levy and being asked questions and giving	8 Jaquari?
17 answers?	18 A. No.	9 A. Yes.
19 Q. Okay. No memory at all?	20 A. No.	10 Q. You're not disputing that, right?
21 Q. When did you last see the videotape of your	22 interview with him?	11 A. No.
23 A. I believe it was the last time or before	24 that last time that I saw Al, that she showed me the	12 Q. I'm going to use the page numbering at the
		13 top here (indenting) because that will refer to all
		14 the pages. Okay?
		15 A. Okay.
		16 Q. So it says 1 of 56. So any of the page
		17 numbers I refer to would be from that numbering
		18 system. Okay?
		19 A. Okay.
		20 Q. So turn to Page 40, please.
		21 Now, in the middle of the page it's --
		22 Dr. Galatzer-Levy asks: Okay. How did they know he
		23 was fit to die?
		24 Do you see that?

15 (Pages 57 to 60)

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Page 61	Page 63
1 A. Yes. 2 Q. So I'm going to read a portion and ask you 3 If you remember this. 4 Dr. Galatzer-Levy asks you question: Okay. 5 How did they know he was fit to die? 6 You give an answer: Because, because I 7 think they saw him, had a real large bubble. 8 Dr. Levy: A real large bump? 9 Dianete: Um-hmm. Because I didn't see what 10 happened. 11 Dr. Galatzer-Levy: Okay. 12 Dianete: I was still asleep. 13 Dr. Levy: Oh, you were asleep? Okay. So 14 you were, the two of you went to sleep -- well, the 15 two of you went to bed, and then, uh, so, and then you 16 were asleep for a while, and then when did you know 17 something was wrong? 18 Answer: When I know? 19 Question: Yeah. When did you know that 20 Jaquarl was, things weren't good with Jaquarl? 21 Please turn the page. 22 And you responded: Because when I -- when I 23 waked up, I saw -- I didn't see Jaquarl. I didn't see 24 Mom and Dad.	1 Question: No? 2 Dianete: Uh-huh. It was off him when we got 3 in trouble. 4 Let me just refer you to one other place 5 before I ask you a question. 6 MS. SUSRER: I'm already objecting to form, but 7 go ahead. 8 BY MR. NATHAN: 9 Q. Go to Page 36. All right. 10 Dr. Galatzer-Levy -- and I'm starting with 11 the first substantive question on this page from 12 Dr. Levy -- Uh-huh. But was there anybody -- now you 13 were talking about your mom and dad. Were -- were 14 they in the room or were they in a different room? 15 Dianete: They were in their room. 16 Question: Oh, they were in their room? 17 Okay. And you were in your room with Jaquarl. Okay. 18 Then what happened? 19 He put the sheet around his neck. 20 What happened next? 21 Well, well, he got in troubles, and my mom 22 and daddy left us in the house. And when we can't go 23 outside -- sorry. And then we can't go outside, but 24 we did get in trouble.
Page 62	Page 64
1 Question: Oh, okay. 2 Answer: Because they left the house, I was 3 all alone. 4 Question: Oh, you were all alone? 5 Answer: Um-hmm. 6 Question: And did you see Jaquarl with this 7 thing around his neck? 8 Um-hmm. 9 Question: And that was before you went to 10 sleep or after you -- when did you see him with the 11 thing around his neck? 12 Question: When we was taking turns playing 13 that Spiderman game. 14 Continuing. Okay. When you were taking 15 turns playing the Spiderman game and as part of the 16 Spiderman game he put this or -- 17 Answer: Talking about when he played, when 18 he's going to kill Spiderman. It was my turn, and 19 then he grabbed that white part of the sheet, then, 20 like, put it around his neck. 21 Question: Okay. Okay. When you went to 22 sleep, he had -- he had this? Did he have it around 23 his neck? Yes? 24 Dianete: Uh-huh.	1 Question: Okay. So -- 2 Answer: And then -- 3 Question: Hold on. Because I want to make 4 sure I understand things real clear here. So he put 5 the sheet -- you had gotten in trouble; right, because 6 you went outside? 7 Answer: Yeah. Both of us was get in 8 trouble. 9 Question: But, uh, you got in trouble, but 10 was that before or after he put the sheet around his 11 neck? 12 Question [sic]: First he put the sheet 13 around his neck -- 14 MR. HALE: Answer. 15 MR. NATHAN: I'm sorry. Answer. Dianete 16 answering here: First he put the sheet around his 17 neck. 18 Question from Dr. Levy -- Galatzer-Levy: Okay. 19 When -- and then you went outside? 20 Answer: Um-hmm. We got in trouble. 21 Question: And got in trouble and then what 22 happened? 23 Answer: We played -- we was in the house, 24 and when we went out, I mean, in -- my mom had a belt

16 (Pages 61 to 64)

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1	and whoop us and, uh, inaudible, he wouldn't be -- we	1	Did you read this part of the transcript
2	have a bump, he'd.	2	during your preparation for the deposition?
3	Question: Uh-huh.	3	A. Yes.
4	And answer from Dianne: It was -- it's like	4	Q. So you read that -- you told Dr. Levy that
5	we had in Edwardsville, but in Edwardsville, where we	5	you guys got in trouble after he put the sheet around
6	he had one bad, I was too close to the right here when	6	his neck, right?
7	-- when us he fall.	7	MS. SUSLER: Objection. The exhibit speaks for
8	Un-huh -- from Dr. Levy.	8	itself.
9	Answer from Dianne: And then I already fell	9	BY THE WITNESS:
10	on my head.	10	A. Yes.
11	Okay. Let's stop there for a minute.	11	Q. And you told Dr. Levy that after the sheet
12	Did you see the response that you gave on	12	was around Jaquari's neck, that's when you went
13	Page 40 when you said, "Because I didn't see what	13	outside, right?
14	happened?"	14	A. (Inaudible response.)
15	MS. SUSLER: First of all. Let me just interject	15	MS. SUSLER: Same objection.
16	an objection to form.	16	BY THE WITNESS:
17	MR. NATHAN: Okay.	17	A. Yes.
18	BY MR. NATHAN:	18	Q. And after you went outside is when your mom
19	Q. Are you with me there?	19	hit you with -- hit you with a belt?
20	MS. SUSLER: Right after it says, "a really large	20	A. Yes.
21	bump" in the question. Right here (indicating.)	21	MS. SUSLER: Objection. The transcript speaks
22	Is that what you're referring to?	22	for itself.
23	MR. NATHAN: Yes. Thank you.	23	BY MR. NATHAN:
24	BY MR. NATHAN:	24	Q. Okay. So go to Page 38 for a second at the
Page 66		Page 68	
1	Q. Do you see that? It says -- you told	1	last two questions and answers on this page.
2	Dr. Galatzer-Levy, because I didn't see what happened.	2	It says -- questions from Dr. Galatzer-Levy:
3	And then he said okay. And you said, I was still	3	When they came back, what happened?
4	asleep.	4	Answer: We got in trouble.
5	MS. SUSLER: All right. Objection. Form.	5	Question: Okay. When you say you got in
6	Completeness.	6	trouble, what -- can you tell me what happened when
7	BY MR. NATHAN:	7	you got into trouble?
8	Q. Okay. Do you see that?	8	Answer: Then, uh, then she, then my mom
9	A. Yes.	9	whipped Jaquari first, then me with a belt. We go in
10	Q. Were you lying to Dr. Galatzer-Levy?	10	our room.
11	MS. SUSLER: Objection. Form.	11	Did you say that to Dr. Galatzer-Levy?
12	BY THE WITNESS:	12	A. Yes.
13	A. No.	13	MS. SUSLER: Same objections.
14	Q. Were you trying your best to describe what	14	BY MR. NATHAN:
15	you remember seeing?	15	Q. So you told Dr. Levy that you were asleep
16	A. Yes.	16	when Jaquari died, right?
17	Q. And you told him that you were asleep and	17	MS. SUSLER: Objection. Form and misstates the
18	you didn't see what happened; right?	18	exhibit.
19	MS. SUSLER: Objection. Form. Incomplete.	19	BY MR. NATHAN:
20	BY THE WITNESS:	20	Q. That's what we just read; correct?
21	A. Yes.	21	A. (Inaudible response.)
22	Q. Okay. Now, turning back to Page 36 in the	22	THE REPORTER: Pardon me?
23	sequence of how you're describing it to Dr. Levy --	23	BY THE WITNESS:
24	well, let me back up.	24	A. Yes.

17 (Pages 65 to 68)

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Page 69	Page 71
1 Q. "Yes"?	1 BY THE WITNESS:
2 A. Yes.	2 A. Yes.
3 Q. Okay. And you told him that because you	3 Q. Okay. And you were truthful with him;
4 were being as truthful as you could be; right?	4 right?
5 A. Yes.	5 A. Yes.
6 Q. And you also told him that after you were	6 Q. So now let's go back. You can close that
7 playing this Spiderman game, that's when you went	7 for the time being.
8 outside; right?	8 What's the first thing that you remember
9 MS. SUSLER: Objection. Are you asking what the	9 about the day that Jaquari died?
10 transcript says? Because you've already exhausted his	10 A. The first thing I remember is playing the
11 memory.	11 Spiderman game. And when I saw him, he had the string
12 MR. NATHAN: You can answer the question.	12 around his neck.
13 MS. SUSLER: I want to know if you're asking him	13 Q. What's the next thing you remember?
14 what the transcript says.	14 A. Walking up and it's -- don't know if it's the
15 BY THE WITNESS:	15 same day, but walking up and being in the house by
16 A. Can you direct me to what page it was?	16 myself.
17 Q. Sure. It's Page 36.	17 Q. Do you remember getting hit with the belt?
18 A. Can you repeat what you said?	18 A. Yes.
19 Q. Sure. You told Dr. Levy -- Galntzer-Levy --	19 Q. Okay. And do you remember, like you told
20 that you went outside after you played the game with	20 Dr. Levy, that you got hit with the belt after the
21 Jaquari; right?	21 Spiderman game?
22 A. Yes.	22 MS. SUSLER: Objection, Form.
23 MS. SUSLER: Objection. Misstates the exhibit.	23 BY THE WITNESS:
24 BY MR. NATHAN:	24 A. Can you explain that more?
Page 70	Page 72
1 Q. That's what the exhibit says; right? That's	1 Q. Sure. I'm asking you about the sequence.
2 what it says?	2 Okay. In your memory, do you also remember, just like
3 MS. SUSLER: Objection. The exhibit is 56 pages.	3 you told Dr. Levy, that you got hit with the belt
4 If you're asking him if that's what it says on Page 36	4 after you were playing the Spiderman game?
5 -- is that the question?	5 MS. SUSLER: Objection, form.
6 BY MR. NATHAN:	6 BY THE WITNESS:
7 Q. You're staring at -- strike that.	7 A. Yes.
8 Dianete, you're looking at Page 36 Of Exhibit	8 Q. Okay. So you said the first thing you
9 120 -- What is that 124 or 125? 125; right?	9 remember was playing the Spiderman game; right?
10 A. Yes.	10 A. Yes.
11 Q. And right there in front of you -- the	11 Q. Tell me the next thing you remember from
12 exhibit is a transcript, and it has you telling	12 that day? So how do you get from playing the
13 Dr. Levy that you played the game with Jaquari first	13 Spiderman game to where you're being hit by the belt?
14 and then you went outside; correct?	14 A. I can't remember exactly, but I remember
15 A. Yes.	15 playing the Spiderman game, seeing Jaquari with the
16 Q. And after that, you got in trouble with	16 string around his neck. Then I woke up, and Mom and
17 Jaquari because -- and your mom hit you guys with the	17 Dad and Jaquari was gone. And getting hit with the
18 belt; right?	18 belt -- I can't say that's the same day, but I
19 MS. SUSLER: Objection. If you're asking him if	19 remember us going outside when we wasn't supposed to,
20 that's what the transcript says on Page 36 -- Is that	20 and we came back -- Mom and Dad came back home, saw we
21 the question?	21 was outside, and we got in trouble.
22 MR. NATHAN: That's the question right now.	22 Q. So before you got hit with the belt, what
23 MS. SUSLER: Is that the question?	23 were you doing?
24 MR. NATHAN: That's the question.	24 A. We was playing outside.

18 (Pages 69 to 72)

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	Page 73	Page 75
1	Q. Okay. And where were you outside? What	1 but I just know when we went outside playing with
2	does that mean? The front? Back?	2 them; we was just running around a lot,
3	A. The back.	3 Q. Okay. Do you remember before you went
4	Q. And that's at your apartment building at	4 outside?
5	2004 North Laporte?	5 A. No.
6	A. Yes.	6 Q. Do you remember where your parents had gone?
7	Q. And what does the back look like?	7 A. No.
8	A. A lot of concrete.	8 Q. Do you remember if they were in the house?
9	Q. And the last month while you were preparing	9 A. Yes, they wasn't.
10	for the deposition with your lawyers, did you look at	10 Q. How do you remember that?
11	photos of that building?	11 A. Because I remember them telling us that we
12	A. No.	12 couldn't go outside, they'd be right back, and they
13	Q. Did you look at photos of the back of the	13 told us to stay in the house, but we didn't listen.
14	building?	14 Q. You didn't listen, meaning you and Jaquarl
15	A. No.	15 didn't listen?
16	Q. But you remember there's concrete?	16 A. Yes.
17	A. Yes.	17 Q. And you saw them leave the house?
18	Q. Do you remember there being any kind of	18 A. Yes.
19	porch?	19 Q. And once they left the house, what did you
20	A. Yes.	20 guys do?
21	Q. So what were you doing outside? What game	21 A. We went outside when we weren't supposed to.
22	were you playing?	22 Q. Do you remember anything about being in the
23	A. Can you explain that more? Outside, like --	23 house before you went outside?
24	Q. Okay.	24 A. No.
	Page 74	Page 76
1	MS. SUSLER: Were you done with your answer?	1 Q. Do you remember how you got outside?
2	THE WITNESS: No.	2 A. Yes.
3	BY MR. NATHAN:	3 Q. How did you get outside?
4	Q. Okay. Please finish.	4 A. We had a backdoor to the backyard, so we
5	A. I just wanted to make sure it was clear	5 just opened the back door and went outside.
6	that -- are you talking about when we was outside,	6 Q. Who opened the backdoor?
7	what we was doing?	7 A. Me.
8	Q. Yeah, that's what I'm trying to get at. So	8 Q. Did you talk to Jaquarl before opening the
9	I was going to ask hopefully a better question.	9 backdoor?
10	A. Okay. We was outside playing with these	10 A. I don't remember.
11	two -- I can't remember if it was exactly two girls,	11 Q. How long were you out there playing?
12	but I remember we had friends from another apartment	12 A. I don't remember.
13	in the building, and we used to always go outside and	13 Q. Could it have been an hour?
14	play with them. So when we went outside, we was	14 A. It could have been. I don't remember.
15	playing with them.	15 Q. Could it have been two hours?
16	Q. So what game were you playing with the girl	16 A. I don't remember.
17	or girls?	17 Q. You just have no idea?
18	A. I don't remember.	18 A. No.
19	Q. So how was it that you remember playing a	19 Q. Meaning I'm correct? You have no idea about
20	game? What do you play -- What do you remember?	20 the time?
21	A. Outside?	21 A. Yes.
22	MS. SUSLER: Objection. Form.	22 Q. So after you were playing for some period of
23	BY THE WITNESS:	23 time, what happened next?
24	A. I don't remember exactly what I was playing,	24 A. Mom and Dad came home, and they caught us

19 (Pages 73 to 76)

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1	outside. Told us to come in, and we got in trouble.	1	hurt to get hit with the belt?
2	Q. Who told you to come in?	2	A. Yes.
3	A. I don't remember exactly who.	3	Q. How many times did you get hit with the
4	Q. So what did -- do you remember your mom	4	belt?
5	yelling at you to come inside?	5	A. Don't know.
6	A. No.	6	Q. Was it more than one?
7	Q. Do you remember her saying, Get "your asses	7	A. Pretty sure, yes.
8	inside"?	8	Q. Was it more than five?
9	A. No.	9	A. I don't know.
10	Q. Do you remember her saying, "Get the "F"	10	Q. Could it have been up to 10 or 20 times?
11	back in the house"?	11	A. No.
12	A. No.	12	Q. On a level of 1 to 10, 10 being the hardest
13	Q. Are you saying she didn't say that or you're	13	and 1 being the softest, how hard were you hit with
14	just saying you don't remember the words she used?	14	the belt?
15	A. I don't remember.	15	A. I don't remember.
16	Q. Do you remember if she was yelling?	16	Q. I'm showing you what's been previously
17	A. Yes.	17	marked as Exhibit 66A. Do you see that belt on the
18	Q. You do remember that?	18	table there?
19	A. Yes.	19	A. Yes.
20	Q. How loud was she yelling?	20	Q. Is that the belt that you were hit with?
21	A. I don't remember.	21	A. I don't remember.
22	Q. Did she sound angry?	22	Q. Could it have been?
23	A. Yes.	23	A. It could have been.
24	Q. Did she sound very angry?	24	Q. Do you recognize that photograph?
Page 78		Page 80	
1	A. Yes.	1	A. No.
2	Q. Was your dad yelling at you?	2	Q. Do you recognize that room?
3	A. I don't remember.	3	A. No.
4	Q. How did you then come to get hit with the	4	Q. Are you able to describe the layout of your
5	belt?	5	apartment at 2004 North Laporte?
6	A. We came inside -- both my mom and dad was	6	A. No.
7	there, and we got hit with the belt, and then we got	7	Q. Do you know if it was a first floor or
8	sent to the room to go to sleep.	8	second floor?
9	Q. Who hit you with the belt?	9	A. I don't remember, no.
10	A. I don't remember.	10	Q. Do you remember if it was a ground level
11	Q. Where did you get hit with the belt?	11	apartment?
12	A. I don't remember.	12	A. No.
13	Q. But you do remember actually being hit with	13	Q. Do you know if it was a basement apartment?
14	the belt?	14	A. No.
15	A. Yes.	15	Q. It could have been?
16	Q. And you do remember seeing Jaquari get hit	16	A. Not a basement, no.
17	with the belt?	17	Q. But you don't know if it was first, second,
18	A. Yes.	18	or third floor?
19	Q. Do you remember crying?	19	A. Correct.
20	A. Yes.	20	Q. Do you know how many bedrooms were there?
21	Q. Do you remember crying because it hurt to	21	A. No.
22	get hit with the belt?	22	Q. It could have been three? It could have
23	A. Yes.	23	been two? It could have been one?
24	Q. Do you remember Jaquari crying because it	24	A. It could have been two.

20 (Pages 77 to 80)

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1	Q. But you don't know?	1	you talking about having the game? Are you talking
2	A. No.	2	about playing a certain day? What are you talking
3	Q. Do you remember, besides bedrooms, if there	3	about?
4	were any other rooms?	4	BY MR. NATHAN:
5	A. The living room, that's it.	5	Q. You said you have a memory of Jaquarl
6	Q. Do you have a specific memory of that living	6	playing a Spiderman game; right?
7	room?	7	A. Yes.
8	A. No.	8	Q. Do you have a memory of him playing that
9	Q. So why are you saying there's a living room?	9	game more than one time?
10	Just because you're assuming there's a living room?	10	A. Yes.
11	MS. SUSLER: Objection, Form.	11	Q. Okay. And how many times do you remember
12	BY THE WITNESS:	12	him playing that?
13	A. I remember there being a living room because	13	A. Both of us, very often.
14	if I'm correct -- I'm not going to say that, I know	14	Q. Okay. So what do you mean by, you would
15	there was a living room if -- I don't remember it now.	15	play a Spiderman game "very often"?
16	Q. So I'm trying to understand the type of	16	A. Almost every day.
17	memory you have in your head about a living room, Do	17	Q. And how would you play that game, typically?
18	you -- if you close your eyes, can you see or imagine	18	A. Day or night -- It was just one joystick, so
19	in your head the living room?	19	we was always just playing it and passing it on when
20	A. A little bit.	20	we done.
21	Q. So what is it that you see in your head,	21	Q. Was this on some kind of gaming system?
22	when you close your eyes, about the living room?	22	A. No. It was like the joystick just plug into
23	A. I remember much like this photo, I believe,	23	the TV and you just play it.
24	yes,	24	Q. Would you have to pop in some kind of game?
Page 82		Page 84	
1	Q. And when you closed your eyes, are you able	1	A. No.
2	to picture yourself getting hit with that belt?	2	Q. Okay. So when you refer to playing a
3	A. No.	3	Spiderman game, you're talking about playing it on the
4	Q. Can you hear Jaquarl crying during --	4	TV?
5	getting hit with the belt?	5	A. Yes.
6	MS. SUSLER: Objection. Asked and answered.	6	Q. With a joystick?
7	BY MR. NATHAN:	7	A. Yes.
8	Q. When you close your eyes, can you picture	8	Q. And you'd play that all the time with him?
9	that in your head?	9	A. Yes.
10	A. No.	10	Q. When you say "playing" -- you would play a
11	Q. But you do remember him crying from getting	11	Spiderman game with Jaquarl, would you ever play it in
12	hit with the belt?	12	any other way besides for just -- with the joystick,
13	A. Yes.	13	with the TV?
14	Q. And you remember getting hit with the belt	14	A. No.
15	more than once?	15	Q. Do you know if you played that game on the
16	A. Yes.	16	day that Jaquarl died or not?
17	MS. SUSLER: Objection. Asked and answered.	17	A. Don't remember.
18	BY MR. NATHAN:	18	Q. Do you remember at some point Jaquarl had an
19	Q. Okay, Now, going back to the Spiderman	19	elastic band around his neck?
20	game, so booking up in the sequence.	20	A. Yes.
21	MS. SUSLER: Objection, Form.	21	Q. Do you know what day that was?
22	BY MR. NATHAN:	22	A. No.
23	Q. Tell me everything you remember about that.	23	Q. You're not sure if it's the same day as when
24	MS. SUSLER: Objection, Form. Foundation, Are	24	you woke up and when your parents came back and took

21 (Pages 81 to 84)

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1 you to the hospital? 2 MS. SUSLER: Objection. Form. 3 BY THE WITNESS: 4 A. I'm not sure. 5 Q. How many times do you remember Jaquari 6 playing with that elastic? 7 A. Once. 8 Q. The time that you remember Jaquari playing 9 with that elastic, what is it that you remember about 10 that? 11 A. All I remember is we were both playing the 12 Spiderman game, taking turns, and when I must have 13 turned around, he had it around his neck. 14 Q. So you were playing on the TV? 15 A. Yes. 16 Q. The elastic band, that had nothing to do 17 with the Spiderman game, though, right? 18 MS. SUSLER: Objection. Form. 19 BY THE WITNESS: 20 A. No. 21 Q. Am I correct? 22 A. Yes. 23 Q. Can you speak up? 24 A. Yes.	1 lunch break? 2 MS. SUSLER: Yeah. 3 MR. NATHAN: I'd like to do that as soon as 4 you're at a place nearby where we can take a break. 5 BY MR. NATHAN: 6 Q. Do you think you can withstand another 15 7 minutes of questions before lunch? 8 A. Yes. 9 Q. Okay. So you said that you were playing the 10 Spiderman game, you turned around, and you see him 11 playing with the elastic cord around his neck? 12 A. Yes. 13 Q. How was his body positioned when he was 14 doing that? 15 A. I don't remember. 16 Q. So was he standing? 17 A. I don't remember. 18 Q. Was he sitting? 19 A. I don't remember. 20 Q. Was he lying on the floor? 21 A. I don't remember. 22 Q. Was he talking to you? 23 A. Yes. 24 Q. What was he saying?
Page 86	Page 88
1 Q. Thank you. So you turned around and what 2 did you see? 3 A. He had the string from the bed sheets around 4 his neck. 5 Q. Where was it around his neck? 6 A. Like all around his neck right here 7 (indicating). 8 Q. And where was the sheet? 9 A. Still on the bed. 10 Q. I apologize if I asked you this already, but 11 in your preparations with your attorneys in the last 12 month, did you review any photographs of the 13 apartment? 14 A. No. 15 Q. Any photographs of the bed? 16 A. No. 17 Q. Have you ever seen any photographs of that 18 apartment? 19 A. No. 20 MS. SUSLER: Can I just check in with you. I'm 21 sorry. It's 12:05. How much more do you think you 22 have? 23 MR. NATHAN: A significant amount more. 24 MS. SUSLER: So we're going to have to take a	1 A. I don't remember. 2 Q. Did he seem like he was having a good time 3 playing the game? 4 A. Yes. 5 Q. He seemed happy? 6 A. Yes. 7 Q. After that, you turned around and see him 8 playing, and you said he talked to you, but you don't 9 remember what he said; right? 10 A. Yes. 11 Q. But -- did he then get another turn with the 12 Spiderman game? 13 A. I don't remember. 14 Q. Did you guys, after that, play anything 15 else? 16 A. I don't remember. 17 Q. Did you take a turn with wrapping it around 18 your neck? 19 A. No. 20 Q. How long was he talking to you when he had 21 this around his neck? 22 A. I don't know. 23 Q. Is this the kind of memory that, if you 24 close your eyes, you can actually see it?

22 (Pages 85 to 88)

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1 A. No.	Q. Okay. Well, what type of memory is it?	1 can actually remember -- all you can remember is the
2 MS. SUSLER: Objection. Form.		2 sheet being wrapped around; right?
3 BY THE WITNESS:		3 A. Yes.
4 A. I guess just a basic memory.	Q. Okay. But if you close your eyes, you can't	4 Q. How exactly was it wrapped around?
5 Q. Okay. But if you close your eyes, you can't	6 picture him with that sheet around his neck?	5 MS. SUSLER: Objection. Asked and answered.
7 picture him with that sheet around his neck?	8 A. Well, yeah I can picture the sheet around	6 BY THE WITNESS:
9 his neck; everything else, no. Only the playing the	10 game and seeing the string around his neck,	7 A. Can you explain it a little bit more? Like
11 Q. So if you close your eyes, you're saying, you	12 can just picture the sheet around his neck, but you	8 -- like how it was wrapped around his neck or like
13 can't picture where he was standing or how he was	14 standing; right?	9 connected to the bed sheets?
15 MS. SUSLER: Objection. That mischaracterizes	16 his answer.	10 Q. Do you have a memory of both of those
17 BY MR. NATHAN:	18 Q. Is that correct?	11 things?
19 A. Yes.	20 Q. Did I mischaracterize you in any way?	12 A. No. Just the sheet around his neck.
21 A. A little.	22 Q. How?	13 Q. So you don't actually have a memory about
23 A. Cause I just remember the string around his	24 neck. I don't remember where his legs or nothing	14 how it was connected to the bed?
24		15 A. Well, like it was -- I remember the sheet
Page 90		16 being pulled tightly because I remember like the sheet
1 were.	17 just ripping -- the string ripping off the sheet. I	17 remember that.
2 Q. So if you close your eyes, can you actually	18 Q. Now, just focusing on what the wrapping	18
3 see the string?	19 looked like around his neck, what is it that you	19
4 A. Yes.	20 remember about that?	20
5 Q. So tell me exactly how that string looked as	21 MS. SUSLER: Objection. Asked and answered.	21
6 you -- while you're closing your eyes or thinking	22 BY THE WITNESS:	22
7 about it.	23 A. It was wrapped around his neck at least	23
8 A. It was wrapped around his neck, maybe twice.	24	24
9 I'm not sure. It was still attached to the sheet on		
10 the bed.		
11 Q. What part of the sheet was it attached to?		
12 A. I don't know.		
13 Q. What color was the sheet?		
14 A. Blue.		
15 Q. Is that something that you've discussed with		
16 anybody in the last few years?		
17 A. No.		
18 Q. Was it attached to the top bunk bed or the		
19 bottom bunk bed?		
20 A. Top.		
21 Q. And was it -- was it being pulled tightly,		
22 or you don't remember that?		
23 A. It's being pulled tightly.		
24 Q. You said that when you close your eyes you		
Page 92		1 twice.
1		2 Q. Okay. And how could you tell that it was
2 wrapped around two times?		3 wrapped around two times?
3		4 A. Like --
4		5 Q. Or at least two times. I didn't mean to
5 misslate you. How could you -- Let me reask that		6 question.
6		7 How could you tell that it was wrapped
7		8 around his neck at least two times?
8		9 A. When he wrapped it around -- when it was
9		10 wrapped around -- when I saw it wrapped around his
10		11 neck, it was like -- I can't explain it, but it was
11		12 like -- you could actually see like how he wrapped it
12		13 around, and like you could see it come across again.
13		14 Q. Okay. So you could see that they were
14		15 separate -- separate lines from the sheet?
15		16 A. Yes.
16		17 Q. Okay. So can you kind of point with your
17		18 fingers towards your neck so the video can show like
18		19 where the lines would have been?
19		20 A. I think about right here (indicating).
20		21 Q. Okay. And you're pointing -- the fingers
21		22 are not on top of each other, they're separate from
22		23 each other or are they --
23		24
24		

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1 A. Separate.	2 Q. Separate. Okay. So separate where you	1 A. Yes.
3 could actually see the two different windings, you're	4 saying?	2 Q. Okay. And you did... and you listened to
5 A. Yes.	6 Q. And you're saying that the winding went all	3 that?
7 the way around his neck?	8 A. Yes.	4 A. Yes.
9 Q. Both times?	10 A. Yes.	5 Q. You went to sleep?
11 Q. So you said before that as you remember, you	12 know, turning around, and you're playing the Spiderman	6 A. Yes.
13 game with the joystick?	14 A. Yes.	7 Q. Do you know if Jaquarl went to sleep?
15 Q. And you turn around and see this sheet being	16 wrapped around his neck?	8 A. Yes.
17 A. Yes.	18 Q. And you're talking to him; right?	9 Q. But you remember specifically yourself going
19 A. Yes.	20 Q. And he seemed happy?	10 to sleep?
21 A. Yes.	22 Q. And he was playing?	11 A. Yes.
23 MS. SUSLER: Objection. Asked and answered.	24 BY MR. NATHAN:	12 Q. And you remember Jaquarl going to sleep
		13 before you?
		14 A. Yes.
		15 Q. After you fell asleep, what's the next thing
		16 you remember?
		17 MS. SUSLER: Are you talking about the time that
		18 they got punished?
		19 MR. NATHAN: Well, he got it -- We just went
		20 through that, yeah.
		21 MS. SUSLER: Okay. Just foundation.
		22 BY THE WITNESS:
		23 A. I don't remember.
		24 Q. Is there another time that you went to sleep
Page 94		Page 96
1 Q. And he was playing?	2 A. Yes.	1 that is relevant to this discussion?
3 Q. And then what happened next?	4 MS. SUSLER: Objection. Asked and answered.	2 MS. SUSLER: Objection to form.
5 BY THE WITNESS:	6 A. I don't remember.	3 BY THE WITNESS:
7 MS. SUSLER: I think it's time for lunch.	8 MR. HALE: That's fine.	4 A. I don't think so, no.
9 MR. NATHAN: Okay.	10 THE VIDEOGRAPHER: We are now going off the	5 Q. You were talking about after you were
11 record at 12:16 p.m.	12 (Lunch break.)	6 disciplined outside, got hit with the belt and got
13 THE VIDEOGRAPHER: The time is 1:05 p.m. We are	14	7 told to go to sleep, you and Jaquarl did go to sleep;
15 now back on the record.	15 BY MR. NATHAN:	8 right?
16 A. Yes.	16 Q. And he was playing?	9 A. Yes.
17 Q. And did you have a chance to talk with your	17 A. Yes.	10 Q. And you said earlier that the very next
18 attorney over the break?	18 Q. And tell me the next thing you remember.	11 thing you remember -- you don't even know if it was
19 A. Yes.	19 MS. SUSLER: Well, I object to the form of the	12 the same day -- you remember waking up?
20 Q. You said that after your mom caught you and	20 question and the misstatement of his previous	13 A. Yes.
21 Jaquarl outside and you both got hit with the belt,	21 testimony, but go ahead.	14 Q. And tell me the next thing you remember.
22 you were told to go to sleep?	22 Q. Did I misstate your testimony?	15 MS. SUSLER: Well, I object to the form of the
23	23 A. No.	16 question and the misstatement of his previous
24	24 Q. Did I mischaracterize it in any other way?	17 testimony, but go ahead.
		18 BY MR. NATHAN:
		19 Q. Okay. Is there anything you would like to
		20 clarify about that?

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1	A. Just that, like I said, I don't remember if it's the same day or not, but the next thing I do remember is walking up by myself.	1	A. We was in the car, and we went to the hospital.
2	MR. HALE: Can you read the answer back, please?	2	Q. Do you remember if you walked to the car or they carried you to the car?
3	(Record read as requested.)	3	A. They carried me to the car.
4	MR. HALE: Thank you.	4	Q. Did they -- when they carried you to the car, did they run to the car or did they walk?
5	BY MR. NATHAN:	5	A. I don't remember.
6	Q. And when you woke up, where were you?	6	Q. Did you say anything to them as they were carrying you to the car?
7	A. On top of the bunk bed -- on the top.	7	A. I don't remember.
8	Q. Because that was where you slept?	8	Q. Did they say anything to you as they were carrying you to the car?
9	A. Yes.	9	A. I don't remember.
10	Q. Was it day or night?	10	Q. How far did they have to carry you to get to the car?
11	A. Day.	11	A. I don't remember.
12	Q. Meaning, it was still light outside?	12	Q. Do you know what the car looked like?
13	A. Yes.	13	A. No.
14	Q. And then what's the next thing you remember?	14	Q. Do you know what color it was?
15	A. Right after I woke up, like a couple minutes later, both my mom and dad come in, grab me, put me in the car, and we went to the hospital.	15	A. I don't remember.
16	Q. Who walked in first? Your mom or your dad?	16	Q. Do you know the make or model?
17	A. I don't remember.	17	A. I think it was the -- I can't remember car names, so I don't remember.
18	Q. Did they say anything to you at that time?	18	
19	A. No.	19	
20	Q. Do you remember what they were wearing?	20	
21		21	
22		22	
23		23	
24		24	
1	A. No.	1	Q. But you don't remember the color?
2	Q. Do you remember what you were wearing?	2	A. No.
3	A. No.	3	Q. Do you remember if they held you in their arms or if they put you in a child safety seat?
4	Q. Do you remember saying anything to them at that time?	4	A. Arms.
5	A. No.	5	Q. Were you in the front?
6	Q. How long were you in the house with them before you guys drove to the hospital?	6	A. No, no, no. Not in the car. Are you talking about when they carried me to the car or in the car?
7	A. I don't remember. Not that long.	7	Q. I think you said you don't remember how long it took to get to the car, right?
8	Q. Do you remember anything about their demeanor?	8	A. Right.
9	A. No.	9	Q. Now once you're at the car, though, did they buckle you into a child safety seat or they were -- carried you still?
10	Q. Do you remember if they were yelling at you or yelling at each other?	10	A. They buckled me into the child seat.
11	A. They wasn't.	11	Q. Is that something you specifically remember or you're just assuming it because that's how kids --
12	Q. So they were not yelling at you?	12	A. That's what I remember.
13	A. No.	13	Q. So you actually remember this car drive?
14	Q. And they were not yelling at each other?	14	A. Yes.
15	A. No.	15	Q. How long was the drive?
16	Q. Were they discussing anything with each other?	16	A. I don't remember.
17	A. I don't remember.	17	Q. Do you remember anything that was said
18	Q. Okay. So what is the next thing you remember?	18	
19		19	
20		20	
21		21	
22		22	
23		23	
24		24	

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<p>1 during that drive?</p> <p>2 A. No.</p> <p>3 Q. I'm sorry if I asked this already. But you</p> <p>4 drove in the car with your parents now to the</p> <p>5 hospital; is that right?</p> <p>6 A. Yes.</p> <p>7 Q. And you said you don't remember anything at</p> <p>8 all that was said in that car; correct?</p> <p>9 A. Correct.</p> <p>10 Q. Are you aware of anything that would refresh</p> <p>11 your memory about that?</p> <p>12 A. No.</p> <p>13 Q. What's the very next thing you remember?</p> <p>14 A. Being at the hospital.</p> <p>15 Q. Okay. So you said you remember being at the</p> <p>16 hospital. What is it that you specifically remember?</p> <p>17 A. I remember sitting down, a doctor giving me</p> <p>18 a coloring book to color in, and I remember seeing</p> <p>19 both my mom and my dad crying real heavy.</p> <p>20 Q. Are you able to describe the room you were</p> <p>21 in?</p> <p>22 A. No.</p> <p>23 Q. Anyone else that was present in the room</p> <p>24 besides the doctor or person that gave you the</p>	<p>1 hospital?</p> <p>2 A. Yes.</p> <p>3 Q. Do you remember anything that they said to</p> <p>4 each other?</p> <p>5 A. No.</p> <p>6 Q. What's the next thing you remember?</p> <p>7 A. Being in the back of a police car.</p> <p>8 Q. Do you know how you got to the back of the</p> <p>9 police car?</p> <p>10 A. No.</p> <p>11 Q. Do you remember anything about being in the</p> <p>12 back of the police car?</p> <p>13 A. I've been in the police car twice. The</p> <p>14 first time I was with my mother.</p> <p>15 Q. Okay. So that's the time when you were</p> <p>16 leaving the hospital?</p> <p>17 A. Don't know for sure.</p> <p>18 Q. Okay. So what was the second time you were</p> <p>19 in the back of a police car?</p> <p>20 A. Just by myself. The police officer taking</p> <p>21 me to my grandma house.</p> <p>22 Q. Those are the only two memories you have of</p> <p>23 being in a police car ever; correct?</p> <p>24 A. Yes, yes.</p>
<p style="text-align: center;">Page 102</p> <p>1 coloring book and your parents?</p> <p>2 A. Yes.</p> <p>3 Q. Who else was in the room?</p> <p>4 A. I don't know him but I think -- I believe</p> <p>5 this was the lobby of the hospital.</p> <p>6 Q. Okay. So it would have been just random</p> <p>7 patients that were around?</p> <p>8 A. Yes.</p> <p>9 Q. And random medical personnel that would have</p> <p>10 been around?</p> <p>11 A. Yes.</p> <p>12 Q. Do you know how long you were in the</p> <p>13 hospital?</p> <p>14 A. No.</p> <p>15 Q. Did you see your parents make any phone</p> <p>16 calls?</p> <p>17 A. No.</p> <p>18 Q. Did you see your parents speaking to the</p> <p>19 police at the hospital?</p> <p>20 A. I don't remember.</p> <p>21 Q. Did you have any conversations with either</p> <p>22 of your parents at the hospital?</p> <p>23 A. I don't remember.</p> <p>24 Q. Did your parents talk to each other at the</p>	<p style="text-align: center;">Page 104</p> <p>1 Q. Okay. So the memory you have being in the</p> <p>2 back of a police car with your mother, how long were</p> <p>3 you in the police car for?</p> <p>4 A. I don't remember.</p> <p>5 Q. Was anything said during that police -- the</p> <p>6 ride that you had in the police car with your mom?</p> <p>7 A. I don't remember.</p> <p>8 Q. Did you say anything to your mom?</p> <p>9 A. I don't remember.</p> <p>10 Q. Did she say anything to you?</p> <p>11 A. I don't remember.</p> <p>12 Q. Did the police officer say anything to</p> <p>13 either you or your mom?</p> <p>14 A. I don't remember.</p> <p>15 Q. And no one was in handcuffs; correct?</p> <p>16 A. No.</p> <p>17 Q. Meaning I'm correct?</p> <p>18 A. Yes.</p> <p>19 Q. After being in that police car with your</p> <p>20 mom, what do you remember next?</p> <p>21 A. I remember talking to a judge.</p> <p>22 Q. And what do you remember after talking to</p> <p>23 the judge?</p> <p>24 A. The other police car taking me to my grandma</p>

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1 house.	2 Q. Do you have any memory of going back to the	1 Q. Did your mom ever ask you, "Hey, did you see
3 hospital again?	4 A. No,	2 what happened to Jaquari?"
5 Q. Do you have any memory of being in the	3 MS. SUSLER: Objection. Foundation. Are	3 you talking about any time --
6 police station?	4 MR. NATHAN: I'm talking about ever, my time.	4 BY THE WITNESS:
7 A. No.	5 Q. Just so we're clear, you're not sure if	5 A. I don't remember.
8 Q. Do you have any memory of being in the	6 there was ever any point in your whole life when your	6 Q. Just so we're clear, you're not sure if
9 police station together with your mom?	7 mom asked you, "Hey, Dianete, did you see what happened	7 there was ever any point in your whole life when your
10 A. No.	8 to Jaquari?"	8 mom asked you, "Hey, Dianete, did you see what happened
11 Q. When you say you remember talking to a	9 A. Correct.	9 to Jaquari?"
12 Judge, what do you remember about that?	10 Q. Did you ever have a conversation with her at	10 A. Correct.
13 A. Being in a courtroom, talking to a judge,	11 any point in time where you told her that you saw what	11 Q. And when you're saying you could have,
14 and a lawyer asking me questions.	12 happened to Jaquari?	12 you're just saying, because you don't specifically --
15 Q. Did you like, walk up to a witness stand and	13 A. I'm not sure, I could have.	13 you're not specifically denying that; you're saying
16 give testimony?	14 Q. You just don't know?	14 it's possible?
17 A. Yes, yes.	15 A. Correct.	15 A. Yes,
18 Q. Do you remember, was that the same day as	16 Q. But you don't have any memory whatsoever of	16 Q. But you don't have any memory whatsoever of
19 you went in the police car?	17	17
20 A. I don't remember.	18	18
21 Q. Was that the same month?	19	19
22 A. I don't remember.	20	20
23 Q. Was it the same year?	21	21
24 A. Yes.	22	22
Page 106		Page 108
1 Q. How did you get to the judge?	1 that?	1 A. Correct.
2 A. I don't know.	2 Q. And it's just as possible that you never had	2 Q. And it's just as possible that you never had
3 Q. You don't remember that?	3 that type of conversation; correct?	3 that type of conversation; correct?
4 A. No.	4 MS. SUSLER: Objection. Objection. Form and	4 MS. SUSLER: Objection. Objection. Form and
5 Q. During -- during that ride in the back of	5 foundation and argumentative.	5 foundation and argumentative.
6 the police car with your mom, did she -- you said you	6 BY THE WITNESS:	6 BY THE WITNESS:
7 don't remember anything that was said; right?	7 A. Can you repeat that?	7 A. Can you repeat that?
8 A. Correct.	8 Q. Sure. Isn't it true it's equally possible	8 Q. Sure. Isn't it true it's equally possible
9 Q. Did she ever say, "Hey, did you see what	9 that you never had that conversation and that's why	9 that you never had that conversation and that's why
10 happened"?	10 you don't remember?	10 you don't remember?
11 A. I don't remember.	11 A. It could be, yes.	11 A. It could be, yes.
12 Q. Did you ever tell her what happened?	12 Q. Now, currently you live at 6103 Ingleside	12 Q. Now, currently you live at 6103 Ingleside
13 A. I don't remember.	13 with your mom; right?	13 with your mom; right?
14 Q. During the car ride together with your	14 A. Correct.	14 A. Correct.
15 parents to the hospital, you also said you don't	15 Q. And before that, you lived at Drexel with	15 Q. And before that, you lived at Drexel with
16 remember any conversations in that car; right?	16 your mom -- an address on Drexel with your mom?	16 your mom -- an address on Drexel with your mom?
17 A. Correct.	17 A. Yes.	17 A. Yes.
18 Q. Do you remember specifically anybody asking	18 Q. What was that address?	18 Q. What was that address?
19 you, "Hey, did you see anything about what happened to	19 A. I don't remember. I just know it was on	19 A. I don't remember. I just know it was on
20 Jaquari"?	20 51st and Drexel.	20 51st and Drexel.
21 A. I don't remember.	21 Q. And both of those residences -- your current	21 Q. And both of those residences -- your current
22 Q. Do you remember saying anything to them	22 residence and your previous residence on Drexel -- are	22 residence and your previous residence on Drexel -- are
23 about that?	23 within the last two years; correct?	23 within the last two years; correct?
24 A. I don't remember.	24	24

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1	A. Yes.	1	[Yawn.] Because, uh, because it would be --
2	Q. At some point between August of 2013 and	2	it could be the policeman gave me a gum, a candy and --
3	June of 2014 when you were living at 5019 South Drexel	3	didn't want it taken out of my mouth.
4	wth your mom, did you tell her specifically that you	4	Do you remember being given candy in the
5	don't remember anymore what happened to Joaquin?	5	police station?
6	A. I don't remember.	6	A. No.
7	Q. But you're not denying that you said that?	7	Q. That's all.
8	A. No.	8	And that doesn't refresh your memory at all
9	Q. Meaning you agree with me?	9	about being in the police station?
10	A. Yeah.	10	A. No.
11	MS. SUSLER: Objection, Form.	11	Q. Do you remember ever talking to your mom
12	I'm sorry. Would you mind reading back the	12	while she was at Cook County Jail?
13	last couple?	13	A. Yes.
14	(Record read as requested.)	14	Q. What do you remember about that?
15	MS. SUSLER: Thank you.	15	A. Wait. The jail or the prison?
16	BY MR. NATHAN:	16	Q. The jail.
17	Q. Now, you said you don't remember being in	17	A. No.
18	the police station with your mom; correct?	18	Q. So the jail -- just so we're clear, is that
19	A. Correct.	19	by 26th and California, that area?
20	Q. So is it -- let me rephrase that.	20	A. No.
21	Would it be accurate for me to also conclude	21	Q. Do you know what I'm talking about when I
22	that you don't remember any conversations that you had	22	refer to Cook County Jail now?
23	with your mom, if you had any conversations with your	23	A. Yes, I do.
24	mom, in the police station?	24	Q. So let me ask it again. Do you remember
Page 110		Page 112	
1	A. Yes.	1	ever talking to your mom while she was at Cook County
2	Q. Excuse me. You said you remember being	2	Jail?
3	driven in a police car to your grandmother's house;	3	A. No.
4	right?	4	Q. Do you remember ever talking to your mom on
5	A. Yes.	5	the phone before you talked to the judge?
6	Q. Do you remember anything about that ride?	6	A. Yes.
7	A. No.	7	Q. What do you remember about that
8	Q. Do you remember any conversations you had	8	conversation?
9	with the police officers, if you had any?	9	A. Nothing.
10	A. No.	10	Q. But you do remember talking to her on the
11	Q. I'm just directing you back to Exhibit 125.	11	phone before you talked to the Judge at some point?
12	If you would go to Page 54, almost at the end,	12	A. Yes.
13	Let's start from the beginning of the page.	13	Q. How many times did you talk to your mom
14	Dr. Galatzer-Levy asks: What office was that? Do you	14	before you talked to the Judge?
15	know?	15	A. Once.
16	Answer: It was the police station.	16	Q. Where were you when you talked to your mom?
17	Inaudible.	17	A. I don't remember.
18	Dr. Levy: Oh, okay. And did you talk to	18	Q. Was anyone else present while you were
19	someone there?	19	talking to your mom on the phone before you talked to
20	Answer: Mm-hmm. I was with my mommy.	20	the Judge?
21	Question: You were with your mommy? And	21	A. I don't remember.
22	you have -- and have you talked to your mommy lately?	22	Q. And you said you don't remember what the
23	Uh-uh.	23	content of that conversation was?
24	Dr. Levy: Okay. How come?	24	A. No.

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	Page 113	Page 115
1	Q. Meaning I'm correct?	1 A. No.
2	A. Yes.	2 Q. Have you seen her have any of those letters?
3	Q. Did you either see or speak to your mom	3 A. No.
4	while she was in prison?	4 Q. What did you send her when you sent her a
5	A. Yes.	5 drawing?
6	Q. How often would you see and speak to her	6 A. I don't remember.
7	while she was in prison?	7 Q. How would you describe your relationship
8	A. At least twice a year.	8 with your mom today?
9	Q. At least twice a year you would see her in	9 A. I'd say it's great now.
10	person or is that combined with the in-person visits	10 Q. And how was it before it was great?
11	and telephone visits?	11 A. What do you mean "before"?
12	A. In person.	12 Q. Well, it sounds -- from your answer it
13	Q. Okay. So during the time that your mom was	13 sounded like now is different than it used to be. I'm
14	in prison, would you also speak to her on the phone?	14 trying to understand the distinction.
15	A. No.	15 A. When she first got out, it was kind of --
16	Q. Was that a regular thing where you would see	16 the relationship was -- it was good, but it was kind
17	her twice a year, every year?	17 of pressure on both of us because she had been in jail
18	A. Yes.	18 for eight years and just coming out. I think she was
19	Q. During what time periods, if any?	19 still had that mind-set that I was like five years
20	A. Around Christmas and around my birthday.	20 old. So it was like she didn't know how to deal with
21	Q. Would you send her cards or write her	21 a teenager.
22	letters?	22 And it was hard on me because when she got
23	A. Yes.	23 out in February, which was two months before -- two
24	Q. How often would you do that?	24 months after my grandma died. And while she was in
	Page 114	Page 116
1	A. Every once in a while. I would say every	1 jail, I felt like my grandma was the mother while she
2	year.	2 was in jail. So when my grandma died, she came out, I
3	Q. About once a year?	3 kind of felt like she was a replacement for my
4	A. Yes.	4 grandma, but she wasn't.
5	Q. Did that correspond with any type of	5 So I guess that made the relationship at
6	vacation?	6 first kind of awkward and weird. But now as time
7	A. Can you --	7 progressed, we've gotten better.
8	Q. I'll try to rephrase it. Like -- let me	8 Q. Okay. And how would you describe your mom?
9	give you an example. Like, would you send her	9 A. Intelligent, smart, caring, fun. That's
10	something for her birthday every year or just any	10 about it -- that comes to mind.
11	other specific occasion that you would --	11 Q. She has a job now, right?
12	A. Yes. I think it was around -- one time	12 A. Yes.
13	around Christmas or her birthday, I sent her a	13 Q. What does she do?
14	drawing.	14 A. Therapy, counseling.
15	Q. So I'm trying to get a sense of whether	15 Q. She's also in school?
16	there was any type of regular routine where you would	16 A. Yes.
17	send her written correspondence or drawings in any	17 Q. She's balancing those things?
18	kind of regular way.	18 A. Yes.
19	A. No.	19 Q. Would you characterize her as strong?
20	Q. Just whenever you chose to do it?	20 A. Yes.
21	A. Yes.	21 Q. Why would you characterize her as strong?
22	Q. And you think this was about once a year?	22 A. Because even though being in jail for eight
23	A. Yes.	23 years she came out of jail, still got a job, still
24	Q. Do you have any of those letters?	24 doing what she wants to do, and still going to school.

29 (Pages 113 to 116)

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1 Q. And she's somebody with conviction and 2 strong will?	1 A. Yes.
3 A. Yes.	2 Q. Did Ricardo ever tell you that he thinks 3 that your mom killed Jaquari?
4 Q. And independent?	4 A. I don't remember.
5 A. Yes.	5 Q. How about Tiffany Stafford?
6 Q. Do you remember any point in time where you 7 were on the street with an ambulance?	6 A. I don't remember.
8 A. No.	7 Q. What about Gracia?
9 Q. While your mom was in prison you were raised 10 by your father and your grandmother, right?	8 A. I don't remember.
11 A. Yes.	9 Q. I'm handing you what's been previously 10 marked as Exhibit 81. And I'm going to turn to Bates 11 No. CITY DCFS052.
12 Q. And who else lived at the house at 81st and 13 Sangamon?	12 Do you have your exhibits here?
14 A. Me, my grandma and my dad, my uncle, and two 15 of my cousins.	13 MS. SUSRER: I do not.
16 Q. Who were your -- who was your uncle and your 17 two cousins that lived there?	14 MR. NATHAN: Do you want to take a look at it 15 first?
18 A. My uncle Ricardo Upshaw (phonetic). My two 19 cousins, Tiffany Stafford and Gracia -- I can't -- I 20 forgot the last name.	16 MS. SUSRER: Yes, I would appreciate that. Thank 17 you.
21 Q. Gracia?	18 Do you want me to show it to him?
22 A. Yes. Her nickname is Denise.	19 MR. NATHAN: Yes, please. Show it to him.
23 Q. Denise?	20 BY MR. NATHAN:
24 A. Yes.	21 Q. Exhibit 81, Page 52 is an Illinois 22 Department of Children and Family Services contact 23 note by a woman named Karen Wilson, documenting her contact -- her meeting with your grandmother, Patricia
Page 118	Page 120
1 Q. Is Gracia related to Ricardo?	1 Dancy on June 6th, 2005 at 4:30 p.m.
2 A. Yes.	2 It says -- if you read the narrative section 3 there.
3 Q. Is that his daughter?	4 A. You said what the time was?
4 A. No.	5 Q. So up on top there's a time of contact.
5 Q. How is she related to your dad and Ricardo?	6 A. Okay.
6 A. That's their niece.	7 Q. Do you see 4:30 p.m.?
7 Q. So Gracia is your cousin?	8 A. Yes, I see that.
8 A. Yes.	9 Q. And then -- I think you were probably 10 looking at the "created on" date. That's a different 11 time, but the time of contact is at 4:30 p.m.
9 Q. Who is Gracia's mom and dad?	12 So if you see the narrative, it says: This 13 CPI met with the paternal grandmother, Patricia Dancy 14 at her residence. She states that Dianete is doing 15 well. She states that Sta-von (father) has decided to 16 no -- but it should be not -- allow Dianete to have 17 contact with his maternal family members at this time 18 because they are coaching Dianete to say that he saw 19 Jaquari strangle himself.
10 A. To my mom and my dad?	20 Do you see that?
11 Q. Who is Gracia's mom?	21 A. Yes.
12 A. Shanice (phonetic) Stafford. I think her 13 first name is Washita (phonetic) or something. It's 14 hard to pronounce.	22 Q. Do you remember your mom's family trying to 23 get you to say that you saw Jaquari strangle himself?
15 Q. Are Tiffany and Gracia brother and sister -- 16 I'm sorry. Sisters?	24 A. No.
17 A. No. That is -- Denise is Tiffany's auntie 18 -- I'm sorry. I'm sorry. Let me back it up. 19 I mean Shanice and Gracia are sisters.	
20 That's a mistake. Shanice is the mother of Tiffany.	
21 And Shanice and Gracia's mother is my Auntie Pat.	
22 Q. But Tiffany and Gracia lived in the house 23 there with you, with your dad, your grandmother, and 24 Ricardo?	

30 (Pages 117 to 120)

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<p>1 Q. Do you remember either your grandmother or 2 your father telling you not to have contact with your 3 mom's family? 4 A. No. 5 Q. Was there a point in time in 2005 when you 6 no longer had contact with your mom's family? 7 A. Yes. 8 Q. Okay. And how did you know that you were no 9 longer having contact with them? 10 A. I just didn't see them. I didn't actually 11 notice until probably a couple years after, but that 12 year I just didn't see them. 13 Q. And when was it that you -- when was it that 14 you noticed that, you know, hey, something's 15 different, I haven't been seeing the family -- my 16 mom's family? 17 A. I can't really say. Probably a couple years 18 after when I start seeing them again. 19 Q. Okay. And how did you -- how did that 20 thought pop in your mind? 21 A. I remember -- I don't know who exactly, but 22 I remember somebody saying that when someone from my 23 mom family tried to come get me in -- somebody said 24 that no, they couldn't see me. I don't remember who</p>	<p>1 A. I don't remember. 2 Q. Do you have any memory of talking to a woman 3 named Alexandra Levy or Ali Levy? 4 A. At the hospital? 5 Q. Within a day or so of being at the hospital. 6 A. No, I don't remember. 7 Q. Just zero recollection; is that correct? 8 A. Yes. 9 Q. And you're not saying you didn't have that 10 conversation with her. You're just saying you have no 11 idea? 12 A. Yes. 13 Q. I'm asking about the same type of 14 conversation, but I'm just asking it in a different 15 way. 16 A. Okay. 17 Q. Do you remember talking with somebody, a 18 woman who interviewed you at the Chicago Children's 19 Advocacy Center, within a day of being at the 20 hospital? 21 A. No. 22 Q. Do you have any recollection of speaking 23 with someone at the Chicago Children's Advocacy 24 Center?</p>
<p>1 though. 2 Q. Okay. So a couple of years after 2005, 3 you're saying you started seeing them again? 4 A. Yes. 5 Q. And someone from your mom's family told you, 6 hey, about this event where they were kind of cut off? 7 A. Not from my mom -- I'm not sure who it was 8 from, my mom or my dad's side of the family. 9 Q. But someone told you that you had been cut 10 off from contacting that side of the family, your 11 mom's side; correct? 12 A. Yes. 13 Q. At that point in time did that start making 14 sense to you again? 15 A. Yes, but I didn't actually -- when they told 16 me, I didn't actually think it was for this reason. 17 Somebody just told me that my dad wouldn't let them 18 see me. I didn't know the reason why. 19 Q. Now as you sit back and think about it, 20 isn't it true you're not able to deny that they -- let 21 me back up. Just strike that. You can put that away. 22 Do you have a memory of being interviewed 23 by anyone that like -- the same day that you went to 24 the hospital?</p>	<p>1 A. Is that like the counseling place? 2 Q. Well, do you have a memory of speaking to 3 somebody at a counseling place? 4 A. Yes. 5 Q. What do you remember about that? 6 A. It was -- a tall woman with black hair. I 7 started going -- I remember from like young, around 8 third or second grade, I was going to her very often, 9 at least two or three times a week. And then she 10 would just give me toys to play with, gave me snacks, 11 candy and all of that. And either my dad or my 12 grandma -- mostly my grandma took me to go see her. 13 Q. Do you know what that counseling place was 14 called? 15 A. No. 16 Q. You said you would go and speak to this 17 person at the counseling place two or three times a 18 week? 19 A. Yes. 20 Q. For how many years? 21 A. I can't say exact but maybe four or five. 22 Q. Four or five years? 23 A. Yes. 24 Q. Was that Miss Mitchell who you would speak</p>

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1	with?	1	Q. Like a half an hour or something like that?
2	A. I don't know.	2	A. Probably an hour and a half.
3	Q. Do you know what part of the city you would	3	Q. An hour and a half. And this was two or
4	go to this counseling place?	4	three times a week?
5	A. No.	5	A. Yes.
6	Q. Did your dad ever take you there?	6	Q. You said that the topic of Jaquari -- the
7	A. Yes.	7	day Jaquari died came up only on the last day that you
8	Q. Did he take you there numerous times over	8	met with this woman at the counseling place?
9	the four to five years that you say you went there?	9	A. Yes.
10	A. No.	10	Q. What actually came up during that time?
11	Q. How many times did he take you?	11	A. The last day -- this is the one time I
12	A. I remember one time.	12	remember my dad coming with me, and he actually came
13	Q. Do you remember talking with someone named	13	in the counseling room with me. That's when I
14	Miss Mitchell?	14	actually found out that my mom was actually in jail
15	A. I don't remember the name, but I remember	15	because I never actually knew where she was. And
16	talking to somebody.	16	that's when we talked about where she was and why she
17	Q. And that's at the counseling place?	17	was there, and that's when Jaquari's death came up.
18	A. Yes.	18	Q. Was your dad explaining that to you at that
19	Q. Did you ever talk to -- let me strike that.	19	time?
20	You described somebody who you talked to at	20	A. Yes, yes.
21	this counseling place that was tall with black hair?	21	Q. What did your dad say?
22	A. Yes.	22	A. I don't remember, but I remember the first
23	Q. A female?	23	thing he saying was my mom was in jail, and then from
24	A. Yes.	24	that conversation just went on.
Page 126		Page 128	
1	Q. Do you know what ethnicity she was or can	1	Q. Did he say why she was in jail?
2	you describe anything about her appearance?	2	A. Yes.
3	A. No.	3	Q. What did he say about that?
4	Q. Did you meet with that same person, this	4	A. I can't remember exactly, his exact words,
5	tall female with black hair, for the entire time that	5	but he's telling me that she's in jail for the
6	you were at this counseling place?	6	incident that happened with Jaquari.
7	A. Yes.	7	Q. And did he describe the incident?
8	Q. Did you ever talk to her about the day	8	A. No.
9	Jaquari died?	9	Q. Did you describe the incident at that time?
10	A. Not until my last day.	10	A. I don't remember.
11	Q. How old were you on the last day?	11	Q. Do you remember anything that you said when
12	A. I don't remember.	12	you found out that she was in jail for killing
13	Q. Were you like in seventh or eighth grade?	13	Jaquari?
14	A. No.	14	A. No.
15	Q. Younger or older?	15	Q. You didn't say anything?
16	A. Younger.	16	A. I don't remember.
17	Q. What grade do you think you were in?	17	Q. Did you tell your dad at that time, "Stop, I
18	A. Probably fourth.	18	saw what happened"?
19	Q. So did you start going there in your first	19	A. I don't remember.
20	grade about?	20	Q. Is that because you didn't see what happened
21	A. About, yes.	21	to Jaquari?
22	Q. And how long would you meet with this woman	22	A. No, I just don't remember.
23	at the counseling place every time you would go?	23	Q. Did this -- did this woman at the counseling
24	A. I don't remember.	24	place tell you anything about what happened to your

32 (Pages 125 to 128)

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1 mom?	A. No.	1 of the first grade, and then I moved to Cuffee.
2 Q. She just sat there?	A. Yes.	2 Q. How do you spell Cuffee?
3 Q. Do you remember anything else about that	A. C-U-E-F-F-E [sic].	4 Q. How long were you in Cuffee?
4 conversation that you had with your dad and the	5 A. All the way up to eighth grade.	5 Q. Is that a private or public school?
5 counselor that you haven't already told me?	6 A. Public.	6 Q. Where is it located?
7 A. No.	7 A. 83rd and Racine.	7 Q. Once you left Ryder --
8 MS. SUSR: Would you mind if we take a short	8 A. Yes.	8 Q. -- did you have problems in school?
9 break?	9 A. No.	9 Q. And did you go to the counselor while you
10 MR. NATHAN: Sure.	10 A. Yes.	10 were still at Ryder?
11 MS. SUSR: Thank you.	11 A. No.	11 Q. Earlier you said you would rarely speak to
12 THE VIDEOGRAPHER: We are now going off the	12 A. Yes.	12 the counselor about your mother or Jaquari?
13 record at 1:55 p.m.	13 A. Yes.	13 Q. What did you mean by that?
14 (A short break was had.)	14 A. I don't want to say for sure but -- it had	14 been times when the counselor did bring up Jaquari or
15 THE VIDEOGRAPHER: The time is 2:03 p.m. We are	15 A. Yes.	15 my mother about how I feel about them, but I just
16 now back on the record.	16 Q. Earlier you said you would rarely speak to	16 don't remember exactly what she said.
17 BY MR. NATHAN:	17 the counselor about your mother or Jaquari?	17 Q. Do you remember anything about what you
18 Q. We took a break, right?	18 A. Yes.	18 said?
19 A. Yes.	19 A. No.	19 Q. Do you remember any specific questions she
20 Q. And did you have a chance to talk with your	20 A. No.	20 asked you about that?
21 lawyer?	21 A. Yes.	21 Q. You said that you only learned that your mom
22 A. Yes.	22 A. No.	22 was in jail at the end of the period where you were at
23 Q. Before we took the break, we were talking	23 A. Yes.	23 the counselor?
24	24 A. Yes.	24 Q. But what did you think about where she was
		25 before you learned definitively that she was in jail
		26 or prison?
		27 A. I always thought that she just moved
		28 somewhere. I didn't know where because the one photo
		29 call we talked about earlier, I didn't know she was in
		30 jail then, and then she went to prison. I didn't know
		31 that until my dad told me on the last counseling date,
		32 Q. Okay. And before that last counseling day,
		33 is it fair to assume that you had never visited her in
		34 jail?
		35 A. Yes.
		36 Q. But you were talking to her on the phone
		37 even before you learned that she was in prison?

33 (Pages 129 to 132)

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1	A. No, I remember writing letters. I don't	1	Q. Sure. Is it fair to say you also do not
2	remember much phone conversation at all.	2	remember telling -- if you told All-Levy that you saw
3	Q. During that time period?	3	your mom spankling Jaquarl with a belt?
4	A. Yes.	4	A. Yes.
5	Q. Did you ask your dad, "Where's mom?"	5	MS. SUSLER: I'm sorry. I'm just not clear how
6	A. I believe so, but I don't remember.	6	that came out. For the transcript purposes, would you
7	Q. And what did he say?	7	mind reading that?
8	A. At the time -- before the counseling?	8	(Record read as requested.)
9	Q. Before that last meeting you had with the	9	MS. SUSLER: Thank you.
10	counselor.	10	BY MR. NATHAN:
11	A. I don't think he ever told me.	11	Q. But you have no reason to doubt that you
12	Q. Just didn't answer you.	12	said that; correct?
13	A. I think so, yes.	13	A. Correct.
14	Q. Since you had that conversation with your	14	Q. And you actually remember being struck with
15	dad and left the counselor that you were with from	15	a belt; correct?
16	first through around fourth grade, did you see any	16	A. Yes.
17	other counselors?	17	Q. And you have no reason to dispute that you
18	A. No.	18	told Alexandra Levy at the Chicago Children's Advocacy
19	Q. Are you doing well in school now?	19	Center that your mom whooped Jaquarl; correct?
20	A. Yes.	20	A. Yes.
21	Q. As and Bs?	21	Q. And that was a word that you would use?
22	A. Yes.	22	A. Yes.
23	Q. Have you been an A and B student for quite	23	Q. Did your mom ever pinch you guys?
24	some time now?	24	A. What do you mean by "pinch"?
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1	A. Yes. Freshman year through junior year.	1	Q. Well, let me back up. What type of
2	Q. Congratulations.	2	discipline would your mom use?
3	A. Thank you.	3	A. Either -- if we was to get like in really
4	Q. So you said that you have no memory of	4	trouble, she'd hit us with the belt. Or if it was
5	talking with any kind of counselor or woman within,	5	just something real small, she would put us in a
6	you know, a day or two of when you went to the	6	corner and make us stand there for a while until we
7	hospital with your mom and dad; right?	7	learned our lesson.
8	A. Yes.	8	Q. Would she ever pinch you guys?
9	Q. And I asked you specifically if you	9	A. Probably. I don't remember.
10	remembered being interviewed by a woman named All	10	Q. Would she ever punch you guys?
11	Alexandra Levy at the Chicago Children's Advocacy	11	A. Not that I know of.
12	Center; correct?	12	Q. Is that something your dad would do?
13	A. Yes.	13	A. Yes. My dad probably; not my mom.
14	Q. And you said you don't remember?	14	Q. So you're not disputing that your mom could
15	A. Right.	15	have punched you; you're just saying you don't
16	Q. Just one second. Let me just ask you some	16	remember?
17	specific questions about your memory about whether you	17	A. Yes.
18	talked to Alexandra Levy at the Chicago Children's	18	MS. SUSLER: I object to that last question, even
19	Advocacy Center.	19	though he's already answered it. I think that's
20	Since you don't remember that interview at	20	argumentative, and form.
21	all, isn't it true -- or is it fair to say that you	21	BY MR. NATHAN:
22	don't remember if you told her that you remember your	22	Q. You said that when you'd really get in
23	mom spankling Jaquarl with the belt?	23	trouble you would get hit with a belt; right?
24	A. Can you repeat that?	24	A. Yes.

34 (Pages 133 to 136)

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1 Q. What's something that would make you get	2 really in trouble?	1 your mind very much?	
2 A. I don't exactly remember, but I would say	3 like when we went outside, when we wasn't supposed to.	2 A. Yes.	3 Q. Did you have any close friends in
4 And one time when -- when we were at Edwardsville, we	5 was told to stay in the apartment and play the game,	4 Edwardsville?	5 A. Up to now or just --
6 But instead, we went out of the apartment down the	7 hall to a neighbor to play their game, and when we	6 Q. Back when you lived there.	7 A. Yes.
8 came back, we got in trouble for that.	9	8 Q. Okay. And did you -- do you remember their	9 names?
10 Q. Now, was it -- was it unusual for you guys	11 to kind of stay home alone for a period of time?	10 A. No.	10 A. No.
12 A. No.	13 Q. That was no big deal?	11 Q. How about now? Are you still friends with	11 Q. How about now? Are you still friends with
14 A. No.	15 Q. Am I correct about that?	12 any people that you knew from Edwardsville?	12 any people that you knew from Edwardsville?
16 A. Yes.	17 Q. All right. Now, going back to the incident	13 A. No.	13 A. No.
18 in Edwardsville, you're saying you went to a neighbor	19 when you weren't supposed to?	14 Q. Do you remember Dinaaja Arnold as one of the	14 Q. Do you remember Dinaaja Arnold as one of the
20 A. Yes.	21 Q. And was that a neighbor down the hall or	15 kids from upstairs at 2004 North Laperie?	15 kids from upstairs at 2004 North Laperie?
22 something like that?	23 A. Yes.	16 A. No.	16 A. No.
24 Q. In the same apartment building?		17 Q. Do you remember one of the girls that you	17 Q. Do you remember one of the girls that you
		18 were playing with in the back was around eight years	18 were playing with in the back was around eight years
		19 old at the time?	19 old at the time?
		20 A. It could have been. I don't remember.	20 A. It could have been. I don't remember.
		21 Q. Do you remember telling Alexandra Levy at	21 Q. Do you remember telling Alexandra Levy at
		22 the Chicago Children's Advocacy Center on May 15th,	22 the Chicago Children's Advocacy Center on May 15th,
		23 2005, that your mom got closer to Jaquari and was	23 2005, that your mom got closer to Jaquari and was
		24 telling him something in his ear?	24 telling him something in his ear?
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1 A. Yes.	2 Q. And you got hit with a belt?	1 A. No.	2 Q. Do you remember telling her at that time
3 A. Yes.	4 Q. Where did you get hit with the belt?	3 that Jaquari was throwing up?	3 that Jaquari was throwing up?
5 A. I don't remember.	6 Q. But your mom hit you with the belt at that	4 A. No.	4 A. No.
7 time?	8 A. Yes.	5 Q. Do you have any reason to dispute that you	5 Q. Do you have any reason to dispute that you
9 Q. And that was a normal form of discipline for	10 her, correct?	6 told her that?	6 told her that?
11 A. Yes.	12 Q. Do you remember any other specific instances	7 A. No.	7 A. No.
13 where she hit you with a belt?	14 A. No.	8 Q. Because you don't remember the conversation	8 Q. Because you don't remember the conversation
15 Q. Is that because it's not so unusual that it	16 would stick out in your mind?	9 at all; correct?	9 at all; correct?
17 MS. SUSLER: Objection. Form.	18 BY THE WITNESS:	10 A. Yes.	10 A. Yes.
19 A. Can you explain that?	20 Q. Sure. Is that -- is the reason you're not	11 Q. Do you remember being asked the question at	11 Q. Do you remember being asked the question at
21 thinking of any other specific examples because it	22 would happen often enough that you don't really --	12 the Chicago Children's Advocacy Center on May 15th,	12 the Chicago Children's Advocacy Center on May 15th,
23 A. Get in trouble like that?	24 Q. -- get in trouble? It's not sticking out in	13 2005; Did a grownup help Jaquari put a sheet around	13 2005; Did a grownup help Jaquari put a sheet around
		14 his neck?	14 his neck?
		15 A. You said do I remember?	15 A. You said do I remember?
		16 Q. Yeah.	16 Q. Yeah.
		17 A. No.	17 A. No.
		18 Q. You have no reason to dispute that you were	18 Q. You have no reason to dispute that you were
		19 asked that question, though; correct?	19 asked that question, though; correct?
		20 A. No.	20 A. No.
		21 Q. Meaning I'm correct?	21 Q. Meaning I'm correct?
		22 A. Yes.	22 A. Yes.
		23 Q. And do you remember giving the answer that	23 Q. And do you remember giving the answer that
		24 you were sleeping when Jaquari died?	24 you were sleeping when Jaquari died?

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1	A. No.	1	Q. Is this the burn (indicating) or is this
2	Q. But you don't have any reason to dispute	2	whole thing the burn (indicating); this entire piece?
3	that you said that; correct?	3	A. The whole entire piece.
4	MS. SUSLER: Well, there's two different things.	4	Q. Okay. And this is a standard 16.9 fluid
5	You're reading from a report. I object to the form.	5	ounce bottle (indicating). I'm just saying -- like
6	MR. NATHAN: Okay. I'm just -- Hold on. Hold	6	where is the beginning and end of the burn?
7	on. Stop. Stop. Stop for one second.	7	A. The beginning is right here (indicating).
8	MS. SUSLER: You're asking if he saw the report.	8	Q. So from the top of the label?
9	You can ask him if he saw the report.	9	A. Yes, to right here (indicating).
10	MR. NATHAN: Stop for a second.	10	Q. Until almost the end of the bottle?
11	MR. HALE: Let her finish.	11	A. Yes.
12	MS. SUSLER: If you're asking him if the report	12	Q. How did you get that burn?
13	is accurate, that's a different story. Now, I don't	13	A. My dad told me that when I was around two or
14	know if you're trying to trick him or what, but I	14	three, that he was ironing clothes -- and I would
15	object strongly.	15	always follow him around, and he didn't want me to
16	MR. NATHAN: Okay. I didn't mean to speak over	16	follow him around because he was ironing clothes, and
17	you, so I apologize for that.	17	the iron was hot. So he put the iron in the corner
18	What I was trying to say was, please don't	18	where I couldn't get to it because he had to do
19	make a speaking objection.	19	something, but I crawled all way up to the corner and
20	Can you please read back my question?	20	pulled the iron down.
21	(Record read as requested.)	21	Q. Do you remember that incident at all?
22	BY MR. NATHAN:	22	A. No.
23	Q. Can you answer the question?	23	Q. Do you remember any times when either of
24	A. Yes.	24	your parents abused you?
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1	MS. SUSLER: Same objections.	1	A. No.
2	BY MR. NATHAN:	2	Q. Did you ever see Jaquari with a bubble?
3	Q. Do you remember speaking to a woman at your	3	A. Not that I remember.
4	grandmother's house within a couple of days of when	4	Q. Do you know what that even means, "with a
5	you were at the hospital with your parents?	5	bubble"?
6	A. No.	6	A. No.
7	Q. No recollection of if at all?	7	Q. Have you heard that term before?
8	A. No.	8	A. Yes.
9	Q. Meaning correct?	9	Q. And where have you heard that term?
10	A. Yes.	10	A. With Jaquari or any other time?
11	Q. I'm going to ask you about that in a second.	11	Q. Have you ever heard that term referenced
12	Do you have a burn on your arm?	12	together with Jaquari?
13	A. Yes.	13	A. Yes.
14	Q. A scar?	14	Q. Where?
15	A. Yes.	15	A. I seen the video, I mentioned earlier, and
16	Q. Can I see that, please?	16	that's it.
17	A. (Complying.)	17	Q. Okay. But you said you don't remember
18	Q. Are you able to roll up your sleeve a little	18	seeing a bubble with Jaquari?
19	bit more because it's hard to see the whole thing.	19	A. No.
20	Try to show the entire scar. Where is it?	20	Q. Meaning I'm correct?
21	A. Right here (indicating).	21	A. Yes, yes.
22	MR. NATHAN: Okay. Is the camera able to zoom in	22	Q. You said you don't remember speaking with a
23	on that?	23	woman at your grandmother's house within a couple of
24	BY MR. NATHAN:	24	days of when you were at the hospital with your

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1	parents; right?	1	Q. You're not saying you weren't; you're just
2	A. Yes.	2	saying you don't remember?
3	Q. Do you remember speaking with the woman	3	A. Correct.
4	about the events that happened to Jaquari ever,	4	Q. Have you ever had any conversations with
5	besides for what you've already talked to us about at	5	your mom about what happened to Jaquari or your memory
6	this deposition?	6	about what happened to Jaquari, that you haven't
7	MS. SUSLER: Objection, Form.	7	already told us?
8	BY THE WITNESS:	8	A. No.
9	A. No.	9	Q. So we talked about your residences at
10	Q. And since you don't remember the interview,	10	Ingleside and at Drexel together with your mom,
11	do you have any basis to dispute the testimony or	11	Before that, where did you live?
12	records of a woman named Karen Wilson who says she	12	A. 85th and Sangamon.
13	interviewed you on May 16th of 2005, at your	13	Q. And did you live there the entire time until
14	grandmother's house?	14	like, going backwards -- until -- that's a poor
15	A. No.	15	question.
16	MS. SUSLER: Objection, Form.	16	Did you live at 85th and Sangamon the entire
17	BY MR. NATHAN:	17	time? From the time that you were under the custody
18	Q. Okay. So if she says you told her	18	of your dad and your grandmother at 85th and Sangamon,
19	something, you're not denying that you said that?	19	until the time that you moved in with your mom at
20	MS. SUSLER: Objection, Form.	20	Drexel?
21	BY THE WITNESS:	21	A. I stayed up at Sangamon, too. When I was --
22	A. No.	22	when my mom was at Drexel, I was actually back and
23	Q. Meaning I'm correct?	23	forth.
24	A. Yes.	24	Q. I'm sorry. I missed that last --
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1	Q. Because you would have no basis to deny it	1	A. When I was -- when my mom had the apartment
2	because you don't remember?	2	at Drexel, I was actually back and forth. So I was
3	A. Right.	3	there for a long period of time and then back at
4	Q. Did you ever have some kind of foreign body	4	Sangamon. I didn't really move from Sangamon until
5	in your ear? Did you have to have something removed	5	last year.
6	from your ear?	6	Q. Okay. Do you have any other memories from
7	A. Not that I remember. I remember going to	7	your time at 2004 North Laporie, other than that one
8	the doctor, something about my ear, but I'm not sure	8	day?
9	what it was.	9	MS. SUSLER: Well, objection. You're
10	Q. Okay. What -- when do you remember going to	10	mischaracterizing his testimony.
11	the doctor for your ear?	11	MR. NATHAN: I don't want to. If I did, it was
12	A. I remember I was very young. I remember	12	an accident.
13	that I was probably around -- I don't know -- six.	13	BY MR. NATHAN:
14	Q. This is while you were living at your	14	Q. I don't think we talked about anything else
15	grandmother's already?	15	at 2004 North Laporie except for that one day, did we?
16	A. Yes.	16	MS. SUSLER: Objection. You're mischaracterizing
17	Q. Do you remember getting evaluated by any	17	his testimony.
18	doctors that day or the night that you went to the	18	BY MR. NATHAN:
19	hospital with your parents?	19	Q. Correct me if I'm wrong.
20	A. No.	20	A. No, I don't remember.
21	Q. How about the following day, after you left	21	Q. Okay. Do you have any memories at 2004
22	the hospital with your parents? Do you remember being	22	North Laporie except for that one day -- well, you
23	evaluated by any kind of medical personnel?	23	know what? I think I agree with your attorney here.
24	A. No.	24	Because you said you weren't sure if some of your

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<p>1 memories were the same day or not. But I didn't mean 2 to misconstrue that, if that's what she's talking 3 about.</p> <p>4 MS. SUSLER: Thank you.</p> <p>5 BY MR. NATHAN:</p> <p>6 Q. Do you have any memories of 2004 North 7 Laporte, other than what you've already described 8 today?</p> <p>9 A. One memory -- about the hospital? I 10 remember -- I don't remember from who, but I remember 11 hearing that at first my mom and dad couldn't find the 12 hospital because we had just moved there. So they were 13 rushing to take the car to the hospital. They 14 couldn't find which hospital to take him to, and 15 that's the only one.</p> <p>16 Q. Now, that's not an actual memory. That's 17 just something you heard about?</p> <p>18 A. Yes. Around that time, though. Around the 19 time when the incident happened, that's when I heard 20 it.</p> <p>21 Q. Okay. So back when you were five or six?</p> <p>22 A. Yes.</p> <p>23 Q. Was there anything else that you heard about 24 when you were five or six that you didn't actually</p>	<p>1 Q. When was that?</p> <p>2 A. When it was too hot outside my nose would 3 just get to bleeding.</p> <p>4 Q. And how old were you when that happened?</p> <p>5 A. Four or five.</p> <p>6 Q. When you say your nose would "get to 7 bleeding," what do you mean by that?</p> <p>8 A. Like I would just be in the sun probably -- 9 probably in the sun too long and blood would just 10 start coming down my nose.</p> <p>11 Q. Do you still have that problem?</p> <p>12 A. No.</p> <p>13 Q. Did you ever get treated for that?</p> <p>14 A. I don't remember.</p> <p>15 Q. How long did you have that problem for?</p> <p>16 A. Not very long. I'm not sure, but probably a 17 year or two.</p> <p>18 Q. Did you have that problem when you were at 19 your grandmother's house?</p> <p>20 A. No.</p> <p>21 Q. Where were you living when you had that 22 problem?</p> <p>23 A. Mostly Edwardsville, that I remember.</p> <p>24 Q. Do you ever remember having this type of</p>
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<p>1 see?</p> <p>2 A. No.</p> <p>3 Q. Did you see Jaquari throwing up on the day 4 that he died?</p> <p>5 A. No.</p> <p>6 Q. Did you see him throwing up at any point in 7 time within, you know, anywhere near the day that he 8 died?</p> <p>9 A. No.</p> <p>10 Q. Do you know if Jaquari had any kind of 11 nosebleed problem?</p> <p>12 A. Not that I know of.</p> <p>13 Q. I mean, could you remember him having blood 14 on his sheets?</p> <p>15 A. No.</p> <p>16 Q. Would that be -- surprise you if he had 17 blood on his sheets?</p> <p>18 A. Yes.</p> <p>19 Q. And why's that?</p> <p>20 A. Because it's something that I just don't 21 remember.</p> <p>22 Q. Did you have any problem with nosebleeds 23 growing up?</p> <p>24 A. Yes.</p>	<p>1 spontaneous bleeding caused by the sun when you were 2 living at 2004 North Laporte?</p> <p>3 A. Not that I remember.</p> <p>4 MR. NATHAN: Let's take a break.</p> <p>5 THE VIDEOGRAPHER: We are now going off the 6 record at 2:34 p.m. 7 (A short break was had.)</p> <p>8 THE VIDEOGRAPHER: The time is 2:43 p.m. We are 9 now back on the record.</p> <p>10 BY MR. NATHAN:</p> <p>11 Q. We took a break; right?</p> <p>12 A. Yes.</p> <p>13 Q. And you had a chance to meet with your 14 lawyer?</p> <p>15 A. Yes.</p> <p>16 Q. Are you graduating this year or the 17 following year?</p> <p>18 A. The following year.</p> <p>19 Q. Okay. And you said you're getting A's and 20 B's?</p> <p>21 A. Yes.</p> <p>22 Q. Do you have -- have you already begun plans 23 to attend college?</p> <p>24 A. Yes.</p>

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1 Q. What are your plans? 2 A. Not sure which college yet, but I know I 3 want to go to college for engineering, mechanical 4 engineering.	1 bed when you were in Edwardsville? 2 MS. SUSLER: Objection. Form. 3 BY THE WITNESS: 4 A. Yes.
5 Q. How did you develop an interest in that? 6 A. One, I just like cars. Two, I like to 7 always try to build things. I have always tried to 8 build things on my own. Three, it was this robotics 9 club I went to at my school. I made an elevator. And 10 then I had a somewhat lifetime opportunity to go to 11 Milwaukee School of Engineering, and I loved it. So I 12 want to do mechanical engineering.	5 Q. Do you remember that incident? 6 A. Edwardsville? Yes. It wasn't a bunk bed, 7 but one bed, yes. 8 Q. What happened there? 9 A. We had one bed because our apartment was 10 small -- for my mom to go to college. Me and Jaquari 11 always shared a bed. We would be on one end, and I 12 think it was one day either I just must have fell off 13 or he accidentally pushed me off. 14 Q. Okay. Did you hurt yourself in that 15 incident? 16 A. Yes. 17 Q. What happened to you? 18 A. It wasn't -- in my mind it wasn't big, but I 19 remember hitting my head. 20 Q. Did your mom get angry at Jaquari for that? 21 A. I don't know. 22 Q. Do you remember your dad and your mom 23 fighting with each other in Edwardsville? 24 A. Yes.
13 Q. Is your dad pretty handy? 14 A. Yes. 15 Q. Very handy? 16 A. Yes, especially with computers. 17 Q. Really? 18 A. Yes. 19 Q. Does your dad -- is he a writer? 20 A. Not that I know of. I heard -- I seen a 21 poem or two that he wrote, but as far as 22 writing-writing, I never seen it. 23 Q. Do you keep a diary? 24 A. Kind of used to, yes.	14 Q. Okay. Did you hurt yourself in that 15 incident? 16 A. Yes. 17 Q. What happened to you? 18 A. It wasn't -- in my mind it wasn't big, but I 19 remember hitting my head. 20 Q. Did your mom get angry at Jaquari for that? 21 A. I don't know. 22 Q. Do you remember your dad and your mom 23 fighting with each other in Edwardsville? 24 A. Yes.
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1 Q. When did you keep a diary? 2 A. Around when I was young -- around the same 3 time I was going to counseling just -- not really 4 about what was going on but just random stuff that 5 just keep me happy in my mind. 6 Q. Okay. Do you still have those diaries? 7 A. No. 8 Q. What did you do with them? 9 A. I think I lost them. 10 Q. When did you lose them? 11 A. Around sixth grade. 12 Q. Now, you testified -- well, let me rephrase 13 that. 14 Do you remember the reference when we were 15 looking at your transcript from your discussion with 16 Ali -- sorry. Your discussion with Dr. Galatzer-Levy? 17 MS. SUSLER: Objection. Form. 18 BY MR. NATHAN: 19 Q. I lost my train of thought, so let me 20 rephrase the question. 21 A. Okay. 22 Q. Do you remember looking at the transcript 23 from your discussion with Dr. Galatzer-Levy and he ... 24 and you mentioned the topic of falling off of a bunk	1 Q. What do you remember about that? 2 A. It was one day they got into a big argument 3 -- I don't know over what -- and I only know that one 4 of them called the police or the neighbors called the 5 police because they was loud. But I remember the 6 police just come in and calming everyone else down. 7 Q. Did someone get arrested? 8 A. I don't know. 9 Q. Was that the only time that they would 10 fight? 11 A. That I remember. 12 Q. You remember the incident with the police 13 coming at the house? 14 A. Yes. 15 Q. Had you ever noticed the elastic from that 16 blue sheet hanging before that one day that you 17 described earlier? 18 MS. SUSLER: Objection. Form. 19 BY THE WITNESS: 20 A. I don't remember. 21 Q. I think earlier you mentioned that you have 22 a recollection of hearing that sheet rip; correct? 23 A. Yes. 24 Q. Was that the first time that it ever ripped

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1 out of the sheet?	1 Q. Remember, you described this meeting that
2 A. I don't think so, no.	2 you had with an Attorney Ali, and the person we
3 Q. Why don't you think so?	3 identified in the photograph?
4 A. Okay. My memory is starting to come back.	4 A. Yes.
5 I have noticed it before like as time -- when I first	5 Q. And what year was that?
6 noticed it as time moved on, it kept getting bigger	6 A. I don't remember. They came multiple times
7 like somebody been pulling it. I don't remember who	7 throughout the eight years that she was in prison.
8 was pulling it. It was probably both of us.	8 Q. Okay. More than one attorney showed up
9 Q. But you don't remember any specific	9 together with Ali?
10 incidences of pulling it?	10 A. Yes. It was -- first it was -- it was
11 A. No.	11 always Ali, and as time came out, she would always
12 Q. So you're just kind of speculating that	12 come with different lawyers with her.
13 someone must have pulled it?	13 Q. Did you meet with her in 2012 or 2013?
14 A. Yes.	14 A. Yes.
15 Q. Do you remember anything else about how that	15 Q. What do you remember about that?
16 sheet -- the elastic started hanging out?	16 A. I believe 2012 was the year when she showed
17 A. No.	17 me the video because I remember my grandma was still
18 Q. Do you have any other memory about that	18 alive.
19 elastic band that you haven't already told me?	19 Q. Okay. And that was at your grandmother's
20 A. No.	20 house?
21 Q. Would Jaquari get in trouble more than you?	21 A. Yes.
22 A. Not that I know of.	22 Q. Was that on someone's laptop?
23 Q. What's the most trouble that Jaquari ever	23 A. No, they had a CD.
24 got in?	24 Q. Okay. They put it into a DVD player at your
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1 A. I don't remember.	1 grandmother's house?
2 Q. Do you remember any other times when Jaquari	2 A. Yes.
3 got in trouble besides for what you talked about, how	3 Q. And what discussions happened at that point
4 he got in trouble getting hit with the belt the day	4 in time?
5 that he -- the day that he died, and the time when you	5 A. I don't remember.
6 remember getting spanked in Edwardsville?	6 Q. And what was the next meeting you had with
7 MS. SUSLER: Objection. Form. You're misstating	7 Ali after the 2012 time when she showed you this DVD?
8 his testimony.	8 A. The next meeting was -- I don't remember
9 MR. NATHAN: I don't think I am.	9 when, but it was before my momma got out.
10 BY THE WITNESS:	10 Q. And what -- where was that meeting?
11 A. No, I don't remember.	11 A. At my house.
12 Q. Why are you living with your mom now?	12 Q. And what did she say to you at that time?
13 A. Because my dad and my uncle lost the house	13 A. I don't remember.
14 on 85th and Sangamon.	14 Q. What did you tell her?
15 Q. If they didn't lose the house, would you	15 A. I don't remember.
16 still be living with your dad?	16 Q. Did anyone ever ask you before your mom got
17 A. Probably, yes.	17 out whether you were willing to talk with the
18 Q. Are you close with your dad?	18 prosecutors?
19 A. Yes.	19 A. Not that I know of.
20 Q. And you don't think he killed Jaquari;	20 Q. So in 2012, did anybody, including Allison
21 right?	21 Flaura and any of the attorneys working with her, ask
22 A. No.	22 you if you would be willing to testify on behalf of
23 Q. Meaning, you're confident of that?	23 your mom?
24 A. Yes.	24 A. Yes.

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1 MS. SUSLER: Objection. Form. 2 BY MR. NATHAN: 3 Q. Who asked you that? 4 A. I believe Ali did. 5 Q. And what did you say to her? 6 A. Yes. 7 Q. Was that at the same time when she showed you the video? 8 A. I'm not sure. 9 Q. What did you tell her that you were willing to testify to? 10 A. I don't remember exactly. 11 Q. Were you pretty much going to testify to whatever you testified to here today? 12 MS. SUSLER: Objection. Form. 13 BY THE WITNESS: 14 A. I'm not sure. 15 BY MR. NATHAN: 16 Q. Would you have anything else to say besides what you've testified here today? 17 MS. SUSLER: Objection. Objection. Foundation and competence. 18 MR. NATHAN: You can answer the question. 19 MS. SUSLER: And form.	1 BY THE WITNESS: 2 A. Probably, yes. 3 Q. Before you went to speak with the Judge in 2005, when you were still young -- not that you're so old -- but did you speak with your mom's attorney before you went and talked to the judge? 4 A. I don't remember. 5 Q. Do you remember talking to a guy named Kenneth Wright? 6 A. I don't remember, no. 7 Q. Does the fact that -- a guy with dreadlocks, does that ring a bell? 8 A. Yes. 9 Q. You did talk to him? 10 A. Yes. 11 Q. When did you talk to him? 12 A. When I was testifying. 13 Q. Okay. At the courthouse? 14 A. Yes. 15 Q. Before the courthouse, did you talk to him? 16 A. Not that I remember. 17 Q. Did you ever talk to his partners or 18 partner? 19 A. Yes.
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1 BY THE WITNESS: 2 A. Can you repeat it? 3 Q. Yeah. I mean, if you were to testify in 2012 or 2013 on behalf of your mom, would you have anything else to offer besides for the things that you've talked about today? 4 MS. SUSLER: Same objection. 5 BY THE WITNESS: 6 A. No. 7 Q. Because you're trying to be as accurate as you can today? 8 A. Yes. 9 Q. And you would have done the same thing back then? 10 A. Yes. 11 Q. Did Ali or any of the lawyers working with her in 2012, or any time before your mom was released from prison, tell you that the prosecutors wanted to talk to you? 12 A. No. 13 Q. And if you were aware of that, would you have been willing to talk to them? 14 MS. SUSLER: Objection. Form. Foundation and competence.	1 Q. Is that Lynna Hollis? 2 A. I'm not sure. 3 Q. Okay. When is it that you talked to Ken Wright's partner? 4 A. I believe the same -- when I was testifying, too. 5 Q. At the courthouse? 6 A. Yes. 7 Q. Before you went onto the stand? 8 A. When I was on the stand. 9 Q. Do you remember ever waking up in the middle of the night when -- or very, very early morning, when you were living at 2004 North Laramie, and driving to go pick up your dad? 10 A. No. 11 Q. Is there anything else about the day that Jaquari died that you remember, that you have not already told me? 12 A. No. 13 MR. NATHAN: Thank you. Those are all my questions for right now. 14 MR. FLYNN: No questions. 15 MS. SUSLER: I think we'll reserve signature. 16 THE VIDEOGRAPHER: This is the end of the

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